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ABSTRACT

The manual offers suggestions regarding the assessment process for handicapped children. Seven chapters address the following topics: the assessment process (a decisionmaking model); the referral process; planning for an individual assessment (formal and informal processes); determining eligibility (the presence or absence of a disability, an educational need); individualized education plan (IEP) assessment (modification of materials and personnel, suggestions for type and level of IEP assessment); actions following the initial assessment (translating assessment data into decisions, annual review, re-evaluation); special assessment issues (general guidelines for special assessment problems and assessment of multiply handicapped, bilingual, and secondary-aged students); and personnel roles in the assessment process. (CL)

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Guidelines for Assessment

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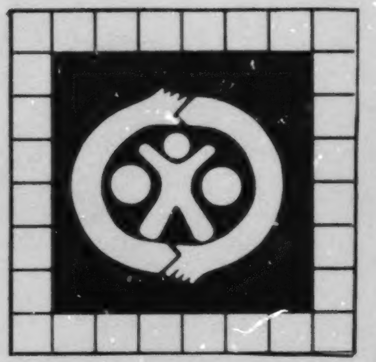

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TEXAS EDUCATION AGENCY
AUSTIN, TEXAS
OCTOBER 1984

FOREWORD

Guidelines for Assessment is intended to improve the efficiency of the assessment process. Although this model presents only one way of streamlining the assessment process, it is hoped that it can help develop the best education possible for handicapped students in Texas.

Raymon L. Bynum
Commissioner of Education

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CHAPTER ONE

INTRODUCTION TO THE ASSESSMENT PROCESS

I. Introduction

Assessment is a term which can be defined in many ways. Educational assessment can be accomplished at many different points in the educational process, can be performed by many different types of personnel, and can include many different techniques and procedures. However, all educational assessment has one characteristic in common: its purpose. No matter when or by whom or how educational assessment is accomplished, it is always done for the purpose of providing information which will assist in making decisions about the student's educational program. Therefore, in this manual we will broadly define assessment as follows:

> ASSESSMENT IS THE COLLECTION AND INTERPRETATION OF INFORMATION WHICH IS USED TO MAKE EDUCATIONAL DECISIONS.

Two major reasons underlie the development of Guidelines for Assessment:

(1) Improve the efficiency of the special education assessment process without losing any of its effectiveness
(2) Differentiate between what is required and what is optional.

The model presented is intended to demonstrate one way to structure the assessment process, but it certainly is not the only way. It is not intended to be an official interpretation or clarification of State Board of Education rules. However, it is an example of one which is efficient and effective.

The goal of special education assessment is clear and well-defined: to provide the most appropriate, least restrictive educational program possible for each handicapped student. It is a continuous process, a means rather than an end.

The end is a better education for each handicapped child.

II. The Assessment Process: A Decision-Making Model

The model designed to achieve a better education for each handicapped child should be viewed from a broad perspective, as presented in Figure 1. Each step in the model depends on the previous step. Thus, each decision point is also a point at which the remainder of the total assessment process could be terminated. The assessment process becomes more efficient when it is conducted sequentially and can be stopped legally, whenever appropriate, without having to conduct all assessments for each student who enters the process.

Decision: What is the most appropriate, least restrictive educational program for this child?

Each decision point on the model (see the large diamonds in Figure 1) poses a question which will eventually lead to the overall answer. Each decision point may also be broken down into a series of small decisions described as subquestions. Each decision point in the model will be discussed in subsequent chapters.

The central assessment in this model is presented as a two-phase process, even though special education rules do not specifically present it in this way. The types of assessment discussed in each phase are conducted in response to two unique decision questions. The first phase, "identification of disability," includes three subparts: identification of a disability area, confirmation of the disability by the required specialist, and establishment of criteria for a legally defined handicapping condition, including the need. All three subparts lead to the eligibility decision.

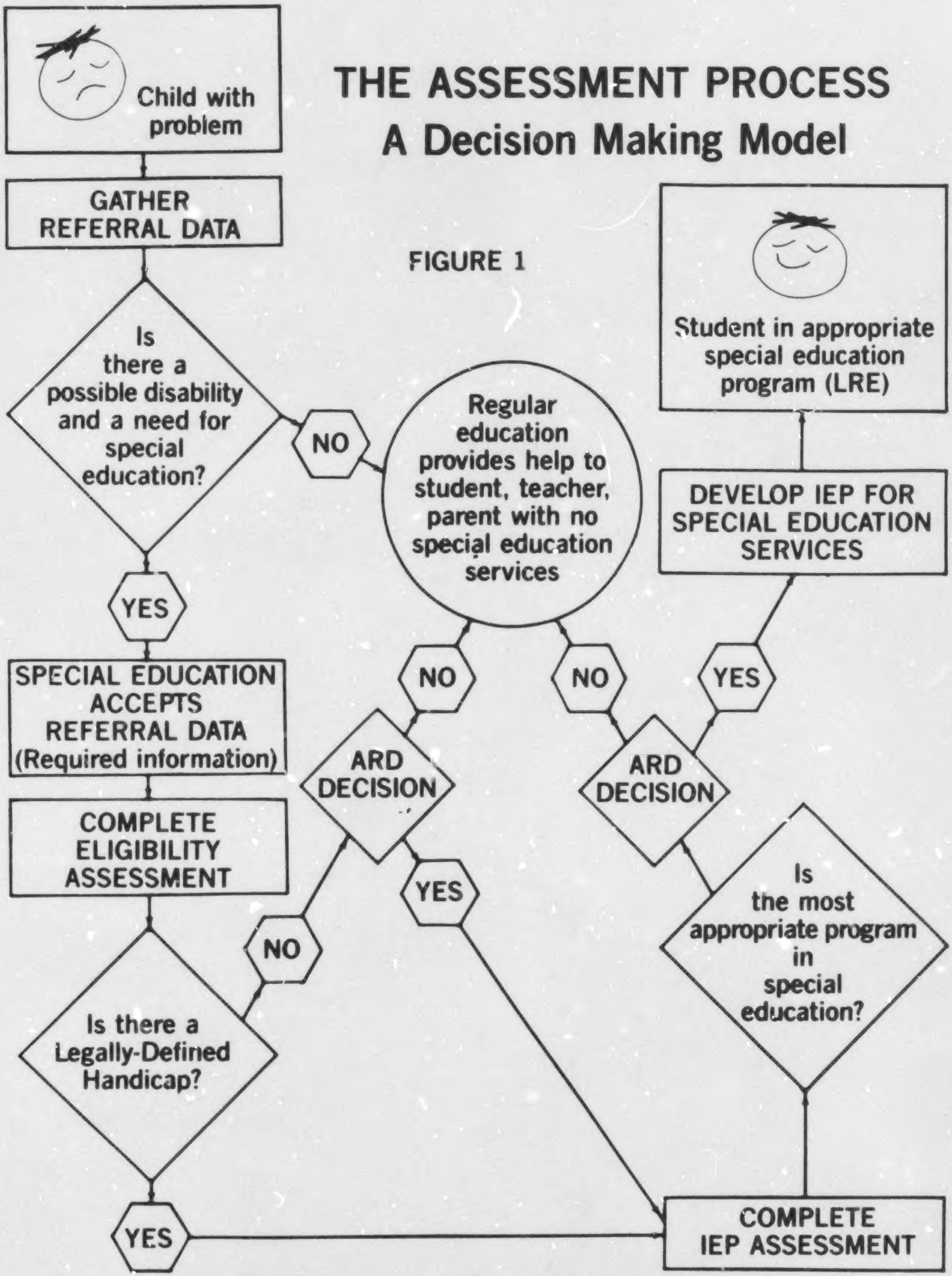
The second phase, "IEP assessment," includes those classroom-based, curriculum-referenced assessments which lead to development of the individual educational plan (IEP). References will be made to these phases of assessment in order to differentiate between the types of assessment being discussed.

Note that when the answer at any decision-point is "No," the assessment process may be stopped. After the referral has been received by the special education office, all decisions must be reviewed by the admission, review, and dismissal (ARD) committee. If evidence fails to warrant continuing assessment at any decision point, the ARD may agree to discontinue assessment. If the ARD agrees to stop the process, the student continues to be the responsibility of the regular education program. This does not mean that the student or parent or teacher does not still have a problem. It only means that special education resources may not be used to assist the student.

The two-phase assessment process at the heart of this model is conceived as a decision-making model. Data collected in each phase are unique in type, purpose, and eventual application; each phase leads to a different decision. The model presented here simply expands that idea to include decisions that occur before and after the main assessment activities.

THE ASSESSMENT PROCESS
A Decision Making Model

FIGURE 1


Child with problem
GATHER REFERRAL DATA
Is there a possible disability and a need for special education?
NO
YES
Regular education provides help to student, teacher, parent with no special education services
SPECIAL EDUCATION ACCEPTS REFERRAL DATA (Required information)
COMPLETE ELIGIBILITY ASSESSMENT
Is there a Legally-Defined Handicap?
NO
YES
ARD DECISION
NO
YES
ARD DECISION
NO
YES
Is the most appropriate program in special education?
COMPLETE IEP ASSESSMENT
DEVELOP IEP FOR SPECIAL EDUCATION SERVICES
Student in appropriate special education program (LRE)

CHAPTER TWO

THE REFERRAL PROCESS: FIRST STEP IN ASSESSMENT

In many assessment models, assessment does not begin until a referral has been received. However, a number of research studies indicate that important information is collected and exchanged and crucial decisions are made during the referral process--information which directly affects the rest of the assessment process. Therefore, the assessment model presented in this manual includes the referral process as the first step in assessment. Referral of students for possible special education services is part of the district's overall regular education referral or screening system. However, because the data collected impact greatly on special education assessment, they are included in this manual.

Decision: Is this student possibly disabled and in need of special education services?

Although persons involved in referring a student cannot be expected to determine in advance whether a student is legally handicapped, they have information about the student which is invaluable to special education staff who will conduct more formal assessments. The following chart presents data required to answer the primary decision question posed above. For each type of data, there is also an indication of its level of necessity (data necessary to support later assessment are in italics), potential sources of the information, formats in which it may be collected, and the subquestions which help to answer the primary question. Section I of the chart pertains to the student currently enrolled in the district. Section II discusses data to be collected for the student not currently enrolled in school; this would most commonly be a very young child or a more severely handicapped student who is new to the district. This may also be a student residing in the district but who is attending a private school.

REFERRAL INFORMATION ANSWERS THE QUESTION: IS THE STUDENT POSSIBLY DISABLED AND IN NEED OF SPECIAL EDUCATION SERVICES?
R=Required by SBOE Rules*

TYPE OF DATA	POTENTIAL SOURCES OF DATA	POTENTIAL DATA FORMATS	SUBQUESTIONS ANSWERED BY THE DATA
I. Student enrolled in school A. Description of current functioning			
1. Reason for referral	*Person initiating referral (May be teacher, parent, counselor, outside agency, or other)*	*Narrative description of reason student is suspected of being handicapped and in need of special education services*	*Is there any reason to suspect that this student may be disabled and in need of special education services?*
2. Classroom observation (R)	*Classroom teacher* Teacher Aide Counselor Principal Other teacher	*Narrative or outline description of student's academic, physical, and social behavior during a typical class session* Observation checklist Work samples Chart/graph demonstrating behavior over time	*What signs, if any, of a possible disability does this student demonstrate through classroom behavior?* What classroom factors, if any, might be contributing to the student's perceived classroom functioning problems? Is there any possibility that the perceived problem may be a teacher problem or curriculum problem rather than resulting from a disability?
3. Attendance information (R)	*Cumulative record file* Classroom teacher	*Attendance record for current school year* Attendance record for previous years Average campus attendance rate	*Has the student been absent so often that learning has been disrupted by absenteeism?* Has there been any recent change in the student's absentee rate? Are there any known causes for such a change? Is this student absent, on the average, more than other students in the same school?
4. Grades (R)	*Classroom teacher* Cumulative record file Counselor	*List of grades in all subjects this year* List of grades in previous years	*Do the student's grades reflect the same problem areas as the other data?* Has there been any recent change in the student's grades? Are there any known causes for such a change?

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*See State Board of Education Rules, Section 89.232

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REFERRAL INFORMATION ANSWERS THE QUESTION: IS THE STUDENT POSSIBLY DISABLED AND IN NEED OF SPECIAL EDUCATION SERVICES? (Cont'd)

TYPE OF DATA	POTENTIAL SOURCES OF DATA	POTENTIAL DATA FORMATS	SUBQUESTIONS ANSWERED BY THE DATA
5. *Achievement data (if any) (R)*	*Cumulative record file* Classroom teacher Counselor	*List of scores achieved by this student in previous district-wide achievement testing* Average district performance on same test	*Do the student's achievement scores reflect the same problem areas as the other data?* Has there been any recent change in the student's average achievement? Are there any known causes for such a change? How does the student's performance differ from the district average?
6. *Language information (R)*	*Classroom teacher* *Parent or guardian* *Cumulative record file* *LPAC*	*Narrative reports from teacher and parent regarding the student's use of English* *Results of district's home language survey* *Recommendations of language proficiency assessment committee (LPAC), if student is limited English proficient*	*Does the student appear to have sufficient command of the English language to be able to succeed in school?*
7. *Out-of-school functioning (R)**	*Parent or guardian* Student Counselor Teacher Principal Social worker Community liaison	*Narrative report of conference with parent or guardian (in person, by phone, or in writing) discussing student's problem and its relationship to out-of-school functioning* Sociological data form Adaptive behavior scale Narrative report of home observation	*Is the student's functioning out of school different from in-school functioning in problem area?* Does the parent or guardian perceive the same problem as the school? Has the parent or guardian been informed that the student may be referred to special education?
8. *Health functioning (R)*	*Parent or guardian* *Classroom teacher* *School nurse* Counselor Other teachers Cumulative record file Medical personnel	*Narrative reports from parent or guardian, teacher, and nurse concerning student's perceived health, particularly vision and hearing* Health inventory Vision and hearing screening Medical reports	*Does the student appear to have any vision, hearing, or other health problems which may interfere with learning?*

*Describe as "information reported or provided by parents" in SBOE Rules.

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REFERRAL INFORMATION ANSWERS THE QUESTION: IS THE STUDENT POSSIBLY DISABLED AND IN NEED OF SPECIAL EDUCATION SERVICES? (Cont'd)

TYPE OF DATA	POTENTIAL SOURCES OF DATA	POTENTIAL DATA FORMATS	SUBQUESTIONS ANSWERED BY THE DATA
B. Previous interventions			
1. Previous referrals	*Cumulative record file* Teacher Special education records	*Listing of disposition of previous referrals, including when, why, who, and what happened*	*If this student has been referred before, what has changed to make eligibility for services more likely now?*
2. Previous program interventions (R)	*Cumulative record file* Teacher Counselor	*Listing of previous programs and services provided in response to this problem, when they were tried, and with what results* Anecdotal or other records from previous programs	*Have services other than special education been tried, and, if so, with what success?* What materials or methods are or are not successful for this student?
3. Previous classroom interventions (R)	*Teacher* Counselor Other teachers	*Listing of instructional, curricular, or behavior management interventions tried in response to problem, when they were tried, and with what results*	*Has the classroom teacher made every effort possible to maintain the student in the regular class?* What methods/materials are or are not successful for this student?

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REFERRAL INFORMATION ANSWERS THE QUESTION: IS THE STUDENT POSSIBLY DISABLED AND IN NEED OF SPECIAL EDUCATION SERVICES? (Cont'd)

TYPE OF DATA	POTENTIAL SOURCES OF DATA	POTENTIAL DATA FORMATS	SUBQUESTIONS ANSWERED BY THE DATA
II. Student not enrolled in school A. Description of current functioning			
1. *Reason for referral*	*Person initiating referral (May be teacher, parent, outside agency, or other)*	*Narrative description of reason student is suspected of being disabled and in need of special education services*	*Is there any reason to suspect that this student may be disabled and in need of special educution services?*
2. *Observation (R)*	*Parent* *School representative (May be teacher, counselor, social worker, or other)*	*Narrative or outline description of student's academic (or developmental), physical, and social behavior during a typical time period in the most usual setting* Observation checklist Work samples Chart/graph demonstrating behavior over time	*What signs, if any, of a possible disability does this student usually demonstrate?* What environmental factors, if any, might be contributing to the student's perceived functioning problems? Is there any possibility that the perceived problem may be environmental rather than resulting from a disability?
3. *School data (if any) (R)**	*Records from previous schools, including current day-care centers or private schools* Parent or guardian	*Grades, achievement scores, attendance information, and classroom functioning from school records*	*Did the student's previous school functioning indicate the same problem areas as other data?* Why is the student not in school now? If student attends private school, does functioning indicate the same problem areas as other data?
4. *Developmental history (R)***	*Parent or guardian*	*Narrative description of general development, including developmental milestones* Developmental checklist	*Are there any significant factors in the developmental history that may suggest a cause for current problems?*

* Corresponds with requirement for "current educational status"

** Supplements "current status" requirement, especially for children who have not been in any educational setting.

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REFERRAL INFORMATION ANSWERS THE QUESTION: IS THE STUDENT POSSIBLY DISABLED AND IN NEED OF SPECIAL EDUCATION SERVICES? (Cont'd)

TYPE OF DATA	POTENTIAL SOURCES OF DATA	POTENTIAL DATA FORMATS	SUBQUESTIONS ANSWERED BY THE DATA
5. *Language information (R)*	*Parent or guardian*	*Narrative report from parent regarding the child's use of English*	*Does the child appear to have sufficient command of the English language to be able to succeed in school?*
6. *Parent information (R)*	*Parent or guardian* *School representative (May be teacher, counselor, social worker, or other)*	*Narrative report of conference with parent or guardian (by phone, in person, or in writing), discussing student's problem and its relationship to home-functioning* Sociological data form Adaptive behavior scale	*Does the parent or guardian perceive the same problem as the referring agent?* Does the parent or guardian support the school's efforts to solve the problem? Has the parent or guardian been informed that the student may be referred to special education?
7. *Health functioning (R)*	*Parent or guardian* School nurse Medical personnel	*Narrative report from parent or guardian regarding the student's perceived health, particularly vision and hearing* Health inventory Vision and hearing screening Medical reports	*Does the student appear to have any vision, hearing, or other health problems which may interfere with learning?*
B. Previous interventions			
1. *Previous referrals*	*Cumulative record file* Teacher Special education records	*Listing of disposition of previous referrals, including when, why, who, and what happened*	*If this student has been referred before, what has changed to make eligibility for services more likely now?*

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REFERRAL INFORMATION ANSWERS THE QUESTION: IS THE STUDENT POSSIBLY DISABLED AND IN NEED OF SPECIAL EDUCATION SERVICES? (Cont'd)

TYPE OF DATA	POTENTIAL SOURCES OF DATA	POTENTIAL DATA FORMATS	SUBQUESTIONS ANSWERED BY THE DATA
2. *Previous interventions (R)*[*]	*Parent or guardian* Representatives of other agencies	*Narrative description of other programs and services (if any) tried, when they were tried, and with what results* *Narrative description of family response to problem, including behavior management*	*Have interventions other than school special education been tried and, if so, with what success?* What materials/methods are or are not successful for this student?

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[*] Corresponds to requirement for "previous educational efforts"

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CHAPTER THREE

PLANNING AN INDIVIDUAL ASSESSMENT: OPTIONS AND REQUIREMENTS

When a referral for a comprehensive individual assessment has been received and contains all of the required information, the special education assessment personnel can respond in two basic ways. They can accept the referral and initiate a standard comprehensive assessment, usually using a standard battery of tests and other assessment procedures. Or they can carefully review all referral data and individually plan any subsequent assessment heavily based on referral data. These are obviously over-simplified extremes of responses to referrals, but there are some important assumptions inherent in each one.

The first response assumes that referral information is not valid, reliable, useful assessment data. Also, there is usually a deeper assumption that the special education staff members should "take over" at this point because of their greater expertise. By utilizing a standard battery of tests and procedures, the person conducting the assessment also assumes that all referred students need assessment in all areas, at the same levels, and with the same procedures.

By contrast, the second response to referrals assumes that referral information is valid, useful assessment information provided by educational professionals who understand education in general and the functioning of this student in particular. Furthermore, assessment professionals who take the time to plan further assessment based on referral data are assuming that not all students will need assessment at the same level and that some information can be obtained more appropriately with procedures that are less time-consuming than additional standardized tests. Because a major concern of this manual is the efficiency of the special education assessment process, we will focus our efforts on this second set of assumptions.

In order to ensure that each individual assessment is as streamlined as possible and yet still appropriate for the individual student being assessed, some planning is necessary before beginning the actual hands-on assessment. This planning activity may be a structured, deliberate process the first few times it is attempted. Later it should become an automatic "mind-set" or way of approaching the assessment.

The following seven questions and their answers will provide the assessment professional with a good plan for an "individualized" assessment of a student:

1. Why is this assessment being requested?
2. What assessment must be done?
3. How should this assessment be performed?
4. How much assessment should be performed?
5. Who should conduct the assessment?
6. When should the assessment be conducted?
7. Where should the assessment be conducted?

The following chart lists each of these questions with discussion points in three columns entitled: Optional Responses, Considerations Based on Referral Data, and Implications for Further Assessment. This planning process may be formal and informal. Before any further assessment is completed, it is assumed that the parent or legal guardian of the student has been notified that a referral to special education has been made and consent for further assessment has been obtained. It is not within the scope of this manual to provide guidelines for this process, but it must have occurred before any further assessment begins.

PLANNING FOR AN INDIVIDUAL ASSESSMENT ANSWERS THE QUESTION: HOW CAN THIS ASSESSMENT BE ACCOMPLISHED MOST EFFECTIVELY?

SUBQUESTIONS	OPTIONAL RESPONSES	CONSIDERATIONS BASED ON REFERRAL DATA	IMPLICATIONS FOR FURTHER ASSESSMENT
1. Why is this assessment being requested?	To determine whether a disability is present	Narrow search to areas mentioned or implied as functional disabilities	Conduct all assessments required to establish legal eligibility, but no more
	To determine need for special education services	Look for discrepancies between this student's functional level and other students of same age or grade Look for previous norm-referenced achievement test	If recent norm-referenced achievement test administered in area of disability, verify results with classroom teacher If no recent norm-referenced test, conduct assessment only in area of disability to verify need
	To determine most appropriate program	Consider instructional method, materials, and services offered, currently and previously, and their effects on student Examine work samples for evidence of current competencies	Obtain additional curriculum-referenced assessment from current teacher Arrange for additional criterion-referenced assessment in area of disability
	To review student's progress	N/A	Review previous norm-referenced assessment and repeat any necessary Collect recent criterion-referenced assessment from current teachers
2. What assessment must be done?	Some assessment in all areas required by policy	Review referral data for information in each required area--evaluate its sufficiency	Conduct additional assessment only where needed--otherwise, reference existing information
	Eligibility assessment	Review legal eligibility requirements and compare to information already available	Conduct additional assessment only where needed--otherwise, reference existing information

PLANNING FOR AN INDIVIDUAL ASSESSMENT ANSWERS THE QUESTION: HOW CAN THIS ASSESSMENT BE ACCOMPLISHED MOST EFFECTIVELY?

SUBQUESTIONS	OPTIONAL RESPONSES	CONSIDERATIONS BASED ON REFERRAL DATA	IMPLICATIONS FOR FURTHER ASSESSMENT
2. What assessment must be done? (Cont'd)	Related services assessment	Review referral data for indicators of possible need for related services	Arrange for assessment by person qualified to provide related service
	Vocational assessment	Review referral data for indicators of vocational interests and aptitudes	Conduct (or arrange for) appropriate levels of vocational assessment
3. How can this assessment be performed?	Observation of student	Level of information provided in referral data about observation already done	Observation always desirable
	Interview with student	Age and language ability of student	Include interview with student
	Interview with parent	Degree to which parents have already been interviewed and level of data provided with referral	Parent interview desirable, unless already done
	Interview with referring agent	Availability of referring agent and level of information provided with referral	Include teacher interview; interview with other referring agents desirable
	Classroom/curriculum-based assessment, work sample, teacher-made tests	Level of information provided in referral data	Always include this type of assessment
	Criterion-referenced test	Evidence of any recent criterion-referenced tests in referral data	Administer additional criterion-referenced tests, if necessary
	Norm-referenced test	Evidence of any norm-referenced tests in referral data	Verify appropriateness of existing norm-referenced testing Administer additional norm-referenced test, if necessary

PLANNING FOR AN INDIVIDUAL ASSESSMENT ANSWERS THE QUESTION: HOW CAN THIS ASSESSMENT BE ACCOMPLISHED COST EFFECTIVELY?

SUBQUESTIONS	OPTIONAL RESPONSES	CONSIDERATIONS BASED ON REFERRAL DATA	IMPLICATIONS FOR FURTHER ASSESSMENT
4. How much assessment should be performed?	Enough to answer question posed by each required assessment area	Degree to which questions already answered by referral data	Conduct assessment only to the level necessary to answer the question
	Enough to satisfy legal assessment requirements (particularly in establishing legal eligibility)	Degree to which legally required data already in referral data	Conduct assessments specifically required by policy
5. Who may conduct the assessment?*	Regular teacher	Information already provided Degree/level of contact/knowledge of student	May collect additional information about current functioning
	Special education teacher	Probability of eligibility and need for special education	Should conduct most functional assessments, including IEP assessment
	Counselor	Behavior problems noted in referral data Possible need for counseling as a related service	At district discretion, counselors may assist in any assessment for which they are trained Could be involved in observation and interviews regarding behavior management or provision of counseling
	School nurse	Level of vision/hearing and other health information in referral data	May conduct vision/hearing and other physical screening May help with referrals for other physical assessments
	Physician, psychologist, other related service personnel	Possibility of disabilities or related service needs which might require specialist	Must conduct certain eligibility assessments

*"The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability" [34 CFR 300.532(e)].

PLANNING FOR AN INDIVIDUAL ASSESSMENT ANSWERS THE QUESTION: HOW CAN THIS ASSESSMENT BE ACCOMPLISHED MOST EFFECTIVELY?

SUBQUESTIONS	OPTIONAL RESPONSES	CONSIDERATIONS BASED ON REFERRAL DATA	IMPLICATIONS FOR FURTHER ASSESSMENT
5. Who may conduct the assessment? (Cont'd)	Teacher aide/other paraprofessional	Type and level of information not already provided in referral data	May collect information from parents and others if based on standard data collection formats May assist teacher or other professional in assessment when appropriately trained and supervised
	Educational diagnostician, psychologist, psychological associate	Type and level of information not already provided in referral data	Should organize, interpret and write up all available information, including referral data and data from all other sources May conduct any other assessments necessary except those specifically assigned to other professionals
6. When should the assessment be conducted?	Considerations include: time of day day of week special holidays weather factors	Indicators in referral data (particularly for very young child) of better functioning morning or afternoon, or particular day of week	Schedule assessment at optimum time to elicit student's best performance If scheduling not possible, identify possible effects of time factors in write-up of assessment
7. Where may the assessment be conducted?	Home	Indicators in referral data that student is very young, out-of-school, or home behavior is a particular concern	Observation in home
	Classroom	Indicators in referral data that classroom factors may be affecting functioning	Observation in classroom

PLANNING FOR AN INDIVIDUAL ASSESSMENT ANSWERS THE QUESTION: HOW CAN THIS ASSESSMENT BE ACCOMPLISHED MOST EFFECTIVELY?

SUBQUESTIONS	OPTIONAL RESPONSES	CONSIDERATIONS BASED ON REFERRAL DATA	IMPLICATIONS FOR FURTHER ASSESSMENT
7. Where may the assessment be conducted? (Cont'd)	Playground or play area	Indicators in referral data that social functioning, motor functioning, or communication is an area of concern	Observation on playground or play area
	Testing room or office	Indicators in referral data that further formal assessment is necessary	Schedule assessment in private room or office, free from distractors, with materials and equipment appropriate for student's age and functional level If such scheduling is impossible, identify possible effect of setting in write-up of assessment

CHAPTER FOUR

DETERMINING ELIGIBILITY: THE FIRST PHASE OF ASSESSMENT

If the student's case has come this far in the assessment model, two broad assumptions can be made. First, there is a good possibility that the student is disabled and in need of special education services. Second, the referral data have been collected, interpreted, and organized to be optimally useful during the remainder of the assessment.

Decision: Is this student eligible for special education?

I. Determining the Presence or Absence of a Disability

In order to answer this decision question, three subdecisions must be addressed. First, does this student have a disability in any area of functioning? Second, does this student meet legally-defined criteria for a handicapping condition? Third, does this student have an educational need resulting from the disability? The eligibility decision question is answered by these three subquestions. If the student does have a disability in some area of functioning and meets legal criteria for a handicapping condition, and has special educational needs resulting from the disability condition, then the student is eligible for special education. If the answer to any one of those questions is "No," the student may still need some assistance, but special education services cannot legally be provided. If there is a disability in any area of functioning, look to Figure 2 for a representation of the relationship between the other two subquestions and the main eligibility decision. If there is not a disability in any area of functioning, the student cannot meet legal criteria for a handicap, regardless of educational need.

DETERMINATION OF ELIGIBILITY*

Does the student have an educational need?

Does the student have a disability in a physical, mental, or emotional area?	No	Yes
No	Regular Student	Slow Learning Student Transition Student Culturally/Socially Different Student
Yes	Mainstreamed Disabled Student (not carried on special education rolls, receiving no special education services)	Student Eligible for Special Education

Figure 2

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*SBOE §89.233b(1)(2)

Subdecision: Does this student have a disability in any area of functioning? It is in answering this subquestion that assessment is truly comprehensive, because at least five different areas must be addressed in the total assessment: language, physical, emotional/behavioral, sociological, and intellectual/adaptive behavior. Keeping this question in mind helps to limit the amount of time and effort that must be spent on this part of the assessment. Assessment in each area is continued only until the question can be answered for that area. For example, in the area of language, the question is, "Does the student have a disability in the area of language functioning?" Referral information should immediately reveal whether anyone with prior experience with the student has suspected a language problem. If no one has, an initial interview with the student and confirmation from the parent and teacher should be sufficient to confirm that there is no disability in the area of language. On the other hand, if the referral information does indicate a possible problem, more specific assessment in that area is indicated. The point is that specific language assessment is not a required part of the comprehensive assessment for all students. "The degree to which assessment in each area is necessary" is a decision left to "the professionals responsible for assessing each area," but "all five areas must be addressed in the written report," according to SBOE Rules, Section 89.233(e)(3)(B).

Federal regulations and SBOE rules require districts to ensure that instruments and procedures selected for assessment be administered by trained personnel in conformance with the instructions provided by the producers. In instances when the Wechsler scales are selected for determining the existence of a severe discrepancy between achievement and intellectual ability through use of standardized tests in accordance with SBOE §89.234(b), the full scale score must be used. All the Wechsler scales were designed to provide a valid measure of general intellectual functioning through a composite score derived from both verbal and performance abilities. The instructions for interpretations require that the full scale score be used as the "standardized" measure of intelligence.

Districts may choose any standardized test of intelligence appropriate for the student from the list approved by the State Board of Education. SBOE §89.234(d) provides an alternative method for determining the existence of a severe discrepancy when appropriate standardized instruments are not available or when the team doubts the validity of results obtained from the procedure based on standardized instruments.

The following chart presents the five areas to be addressed in the first part of eligibility assessment. The first column states in question form the decision to be made based on the data in that area. The second column lists some indicators from the referral which may be helpful in deciding on the type and level of assessment needed. The third column presents optional types and levels of assessment for that area. The fourth column identifies some possible findings and interpretations of the data collected.

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE FIRST SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE A SUSPECTED DISABILITY IN ANY AREA?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	TYPE/LEVEL OF ASSESSMENT	POSSIBLE INTERPRETATIONS
1. Does this student have a suspected disability in the area of language functioning?	Referral indicates no problems in communicating	Interview with student, noting proficiency of English language reception and expression appropriate for age Verify with parent and teacher that language dominance or proficiency is not a problem	No disability in area of language functioning, as determined by referral information and interviews with child, parent, and teacher (OR) Disability in areas of language functioning suspected; need further assessment
	Referral indicates problem with English as a second language	Interview student in English, noting level of proficiency in expressive and receptive domains Interview with student in home language, noting level of proficiency in expressive and receptive domains Interview with parent and/or teacher to determine how much instruction has been provided in either language Determine whether language has been assessed by other program personnel Administration of language assessment scale to verify above findings, if necessary or appropriate	No disability in area of language functioning, but further assessment should be conducted in home language or combination of home language and English (OR) Disability in area of language functioning apparent in both languages; seek further assessment from bilingual language assessment specialist before proceeding
	Referral indicates problem with communication (i.e. language delay, articulation, stuttering, written language, listening, comprehension, etc.)	Interview with student, noting demonstration of problem indicated in referral Interview with parent and teacher to determine specific nature of perceived problem and whether problem occurs in all settings In-depth assessment of speech and language functioning and/or other communication areas	Disability in area of language functioning as determined by referral information, interviews with student, parent, and teacher, and in-depth assessment of speech and language functioning (OR) No disability in area of language functioning; however, some problems in this area are apparent and should be monitored closely

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE FIRST SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE A SUSPECTED DISABILITY IN ANY AREA?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	TYPE/LEVEL OF ASSESSMENT	POSSIBLE INTERPRETATIONS
2. Does this student have a suspected disability in the area of physical functioning?	Referral indicates no problems in vision, hearing, or other physical functioning	Interview/observation of student noting demonstration of vision, hearing, and other physical abilities Interview with parent and teacher verifying that vision, hearing, and other physical functioning is not a problem Verification from school nurse that physical functioning is not a problem	No disability in area of physical functioning, as determined by referral information, interviews with student, parent, and teacher, and verification from school nurse (OR) Disability in area of physical functioning suspected; need further assessment
	Referral indicates possible problem in vision, hearing, or other physical functioning	Interview/observation of student noting demonstrations of vision, hearing, and other physical abilities Interview with parent, teacher, and school nurse to determine specific nature of perceived problem and whether it occurs in all settings If above findings inconclusive, administration of screening level assessment tools designed to identify possible problem areas In-depth assessment of physical functioning in the area of perceived problem by appropriate personnel	Disability in area of physical functioning, specifically with at least one sub-area, as determined by referral information, interview with student, parent, teacher, and school nurse, and in-depth assessment of physical functioning in that specific sub-area (OR) No disability in area of physical functioning; however, some problems in this area are apparent and should be monitored closely; may indicate need for related services
3. Does this student have a suspected disability in the area of emotional/behavioral functioning?	Referral indicates no problem in emotional/behavioral functioning	Interview/observation of student noting demonstrations of emotional/behavioral functioning in student/adult and student/student situations Interview with parent, teacher, and person who did referral observation verifying that behavior is not a problem	No disability in area of emotional/behavioral functioning, as determined by referral information, and interviews with student, parent, teacher, and person doing referral observation (OR) Disability in area of emotional/behavioral functioning suspected; need further assessment

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE FIRST SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE A SUSPECTED DISABILITY IN ANY AREA?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	TYPE/LEVEL OF ASSESSMENT	POSSIBLE INTERPRETATIONS
3. Does this student have a suspected disability in the area of emotional/behavioral functioning? (Cont'd)	Referral indicates problem in emotional/behavioral functioning	Interview/observation of student noting demonstrations of emotional/behavioral functioning in student/student and student/adult situations Interview with parent, teacher, and person who did referral observation to determine specific nature of perceived problem and whether it occurs in all situations If above findings inconclusive, administration of screening level assessment tools designed to identify possible problem areas In-depth assessment of emotional/behavioral functioning in the area of perceived problem by appropriate professional	Disability in area of emotional/behavioral functioning, as determined by referral information, interviews with student, parent, teacher, and person doing referral observation, and in-depth assessment of emotional/behavioral functioning (OR) No disability in area of emotional/behavioral functioning; however, some problems in this area which should be monitored closely and specifically addressed in IEP with respect to classroom management and possible disciplinary action
4. Are there family and/or home factors which adversely influence the student's learning?	Referral indicates no home and/or family factors which may be adversely influencing learning	Interview with the student to get student's perceptions of possible home problems Interview with parent to verify lack of home and/or family factors which may be adversely influencing learning Interview with teacher to verify that there are no indicators in student's functioning which indicate adverse influence of home and/or family factors	No home and/or family factors are adversely influencing student's learning, as determined by referral information and interviews with student, parent, and teacher

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE FIRST SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE A SUSPECTED DISABILITY IN ANY AREA?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	TYPE/LEVEL OF ASSESSMENT	POSSIBLE INTERPRETATIONS
4. Are there family and/or home factors which adversely influence the student's learning? (Cont'd)	Referral indicates home and/or family factors which may be adversely influencing learning	Interview with student to get student's perceptions of possible home problems Interview with parent to determine specific nature of perceived problem Interview with teacher to determine specific nature and degree of influence which perceived problem has on student's school functioning	No home and/or family factors are adversely influencing student's learning, as determined by referral information and interviews with student, parent, and teacher Future standardized assessment may also be affected by those factors in specific ways (identity) Determination of eligibility may be influenced in specific ways (identify) (OR) Home and/or family factors are somewhat unusual or situational but do not appear to be significantly influencing student's school functioning; refer the family to community social service agencies for assistance with the identified problems
5. Does this student have a suspected disability in the area of intelligence/adaptive behavior functioning?	Referral indicates no problems in area of intellectual functioning/ adaptive behavior	Interview with student noting observable manifestations of intelligence and/or adaptive behavior Interview with parent and teacher, verifying that intelligence and/ or adaptive behavior is not an area of perceived problem Review of previously administered achievement and/or ability tests to determine their support or rejection of perception that intelligence and/or adaptive behavior is not a problem area Administration of additional group or individually administered tests of intellectual functioning when other information inconclusive	No disability in the area of intelligence and/or adaptive behavior as determined by referral information, interviews with student, parent, and teacher, review of previously administered tests, and administration of additional tests when necessary

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE FIRST SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE A SUSPECTED DISABILITY IN ANY AREA?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	TYPE/LEVEL OF ASSESSMENT	POSSIBLE INTERPRETATIONS
5. Does this student have a suspected disability in the area of intelligence/adaptive behavior functioning? (Cont'd)	Referral indicates problems in intelligence, but none in adaptive behavior	Interview with student, noting observable manifestations of intelligence and/or adaptive behavior Interview with parent and teacher to determine specific nature of perceived problem and whether it occurs in all settings Review of previously administered tests of intelligence and/or adaptive behavior and achievement to determine indicators of possible problems in functioning in these areas Administration of individually administered test of intellectual functioning and appropriately address adaptive behavior	Disability in area of intellectual functioning as determined by referral information, interviews with student, parent, and teacher, and individually administered tests of intelligence and adaptive behavior (OR) No disability in intelligence, as determined by referral information, interviews with student, parent, and teacher, and individually administered tests of intelligence and adaptive behavior; however, manifest intelligence on tests and other school-related indicators is inadequate and should be monitored closely
	Referral indicates problems in intelligence and adaptive behavior	Interview with student, noting observable manifestations of intelligence and adaptive behavior Interview with parent and teacher to determine specific nature of perceived problem and whether it occurs in all settings Review of previously administered tests of intelligence and/or adaptive behavior and achievement to determine indicators of possible problems in functioning in these areas Administration of individually administered test of intellectual functioning and adaptive behavior	Disability in area of intellectual functioning as determined by referral information, interviews with student, parent, and teacher, and individually administered tests of intelligence and adaptive behavior (OR) No disability in area of intelligence and/or adaptive behavior; however, problems in these areas are apparent and should be monitored closely

II. Documenting the Presence of a Disability

In most cases, the first part of the assessment will present clear evidence of the presence or absence of a disability. It must be emphasized, however, that while a student may seem to have a disability, special education services may be provided only if the student meets the legal criteria for a handicapping condition which includes an educational need resulting from the disability. While all students referred for special education assessment must be assessed to some extent in all five areas, the level of that assessment is left to the discretion of the assessment professional. However, during the process of establishing legal eligibility, the type and level of assessment are specifically defined in state policy.

Subdecision: Does this student meet legally-defined criteria for a handicapping condition?

Texas recognizes twelve separate handicapping conditons: orthopedically handicapped, other health impaired, auditorially handicapped, visually handicapped, deaf-blind, mentally retarded, emotionally disturbed, learning disabled, speech handicapped, autistic, multiply handicapped, and pregnant students. The legal criteria for each of these conditions have several components in common: they all describe the handicapping condition and identify the type of professional who must be involved in the assessment. Another rule [Section 89.233, (3)(1)] specifies that there must be a written report of assessment which includes a statement of the type and severity of the handicapping condition and the functional implications of the condition for the educational process.

The following chart identifies for each handicapping condition some possible indicators from referral data, general indicators from the usual comprehensive assessment, requirements for personnel to be involved in the assessment, and requirements for additional assessment. When assessment for eligibility is completed and, in the professional judgment of the assessment professional, the student will not meet the eligibility criteria for handicapping condition, the process may be discontinued and an ARD committee meeting convened. If the ARD committee agrees that eligibility is not established, there is no need to conduct further assessment. If there is any question about the student's eligibility, the ARD committee may request further assessment.

Although this is the most cost effective method, the assessment even though interrupted must be completed within 30 school days. The interruption may not be used to extend the time allowed for assessment.

The district may establish, at its own option, procedures that mandate the completion of learning competencies tests even though it appears the student is not eligible.

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
1. Is this student orthopedically handicapped?	Obvious physical abnormalities Problems in gross or fine motor coordination	Physical abnormalities or problems in gross or fine motor functioning which interfere with educational functioning	Licensed physician	Examination resulting in written report stating that student has a "severe orthopedic impairment" Report states type and severity of impairment and functional implications for the educational process SBOE Rules Section 89.211 (b)(1)
2. Is this student other health impaired?	Unusual sleepiness, weakness, thirst, bathroom visits, blackouts, seizures, changes in physical condition, bruises, weight gain or loss, signs of problems with alertness or attention, or any other signs of health problems	Health abnormalities, health problems, diseases, or physical conditions which do not seem treatable and which interfere with educational functioning, e.g., diagnosis of cerebral palsy, cystic fibrosis, etc. Attention Deficit Disorder (ADD) by itself does not fulfill eligibility requirements.	Licensed physician	Examination resulting in written report stating that student has "limited strength, vitality, or alertness, due to chronic or acute health problems" Report states type and severity of impairment and functional implications for the educational process SBOE Rules Section 89.211 (b)(2)
3. Is this student auditorially handicapped?	Asks to have instructions repeated or does not follow instructions Speech difficult to understand Does not use sound when playing Consistently turns head to one side when teacher speaking Does not respond to sounds when source cannot be seen Daydreams, acts out, does not pay attention, anxious or withdrawn Very visually attentive History of frequent ear infections	Hearing screening and subsequent hearing and speech assessment indicate hearing problem which is not immediately correctable and interferes with educational functioning	Otologist (or licensed physician with documentation that otologist not available)	Examination resulting in written report stating that student has "serious hearing loss even after corrective medical treatment and/or use of amplification" Report states type and severity of hearing impairment SBOE Rules Section 89.211 (c)
			Certified audiologist	Examination resulting in written report which describes implications of the hearing loss for the student's functioning in a variety of circumstances with or without recommended amplification SBOE Rules Section 89.211 (c)

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
4. Is this student visually handicapped?	Reddened, watery eyes; crossed eyes; "wandering" eyes; student frequently rubs eyes, squints, loses place when reading or writing, cannot copy from board, frequently repositions work materials	Vision screening and related vision assessment indicate vision problem which is not immediately correctable and interferes with educational functioning	Licensed opthalmologist (OR) Optometrist	Examination resulting in written report stating that student either has no vision or serious visual loss after correction; "Visual loss stated in exact measures of visual field and corrected visual acuity at distance and near in each eye." Report states *type* and *severity* of visual impairment and *prognosis* where possible SBOE Rules Section 89.211 (d)
			Certified educator of the visually handicapped (OR) Certified orientation and mobility instructor	Examination resulting in written report describing *functional implications* of vision impairment for the educational process SBOE Rules Section 89.211 (d)
5. Is this student deaf-blind?	Student usually not in any regular education program Signs same as in #3 and #4 above	Assessment indicators same as in #3 and #4 above	Same as in #3 and #4 above	All examinations, reports, and statements required in #3 and #4 abovr SBOE Rules Section 89.211 (e)
			(OR) Same as in #4 above plus certified speech therapist	Same as in #4 above plus suspected hearing loss and speech/language evaluation indicates "no speech at an age when speech would normally be expected." SBOE Rules Section 89.211 (e)

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
6. Is this student mentally retarded?	Generally below grade level in all academic areas (if preschool, generally below age level in all developmental areas) Apparent immaturity socially and emotionally Poor motor coordination Poor speech and/or language Limited ability to understand abstractions	Intellectual functioning and adaptive behavior significantly below the mean Academic, developmental, and/or behavioral functioning below average	Educational diagnostician (OR) Licensed or certified psychologist (OR) Psychological Associate	A. *Intelligence Assessment in Prioritized Order* Option 1. Administration of individual intelligence test resulting in written report stating that student's functioning is more than two standard deviations below the mean in both verbal and performance areas (OR) Option 2. Administration of measure of cognitive functioning or developmental functioning resulting in written report stating the student is functioning more than two standard deviations below the mean in both verbal and performance areas or is functioning significantly below age level in all areas (OR) Option 3. Observations and documented reports from significant others that the student is functioning so low in all areas that no standardized tests are appropriate ------------------AND-------------------- B. *Adaptive Behavior Assessment* Option 1. Administration of formal measure of adaptive behavior resulting in written report stating that the student's adaptive behavior is deficient. (OR) Option 2. Administration of instruments and/or documented observation of the student's functioning (when test data are equivocal or instruments are inadequate or unavailable) in the areas of social maturity, prevocational competencies, behavioral functional independence, etc., resulting in a written report stating that the student's functioning is significantly below average.

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
. Is this student mentally retarded? (cont'd)				(OR) Option 3. Administration of either type of instrument above showing that tested functioning appears normal, but documented observation that in non-test situations student needs significantly more supervision than average SBOE Rules Section 89.211 (f)
7. Is this student emotionally disturbed?	Unusual stress, anxiety, fears Social problems Acting out behavior Unusual moodiness or withdrawal Learning problems which seem to be the result of emotional stress or anxiety Mood swings or inconsistent behavior patterns	Assessment of emotional/behavioral factors indicates significant problems which interfere with educational functioning	Licensed or certified psychologist or psychiatrist (OR) Psychological associate under direct supervision of psychologist	Examination resulting in written report stating that the student exhibits one or more of the five characteristics listed in federal regulation, over a period of time and to a degree which adversely affects educational performance Report specifies: - *type* and *severity* of emotional disturbance; - functional implications of disability for situations involving instruction; - degree to which in-school and out-of-school behavior are consistent and identification of behavior directly resulting from handicap; and - recommendations for behavioral management in the educational setting SBOE Rules Section 89.211 (g)

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
8. Is this student learning disabled?	Functioning in understanding, using language and in academic areas is significantly below what seems to be the student's general ability level Other problems, such as poor attendance, language other than English, home factors, physical or emotional problems, or retardation do not seem to be the cause of the academic delays Evidence student has had appropriate learning experiences in areas cited as below student's general ability level	Intellectual ability does not seem to be retarded Educational functioning in academic or developmental areas seems to be significantly below ability level Attention Deficit Disorder (ADD) by itself does not fulfill eligibility requirements	Multidisciplinary assessment team members include: Educational diagnostician OR Licensed and/or certified psychologist OR Psychological Associate OR Speech - Language Pathologist AND Regular classroom teacher OR Teacher certified to teach student of this age AND Person certified or trained in the area of learning disabilities NOTE: An individual may represent more than one function but at least two people must participate.	A. INTELLIGENCE ASSESSMENT Option 1. Written report identifying standardized individual intellectual test used and score obtained indicating the student is not retarded OR Option 2. Written report stating the team has determined that, while tests appear to indicate retarded functioning, other assessment data indicate that intelligence is within normal limits and that the test functioning was affected by factors other than intellectual ability and identifying the basis for that judgment; OR Option 3. Written report stating that no standardized score was obtained because of the lack of appropriate assessment instruments; document basis for determining that the student is not retarded ---------------------AND-------------------- B. SEVERE DISCREPANCY 1. The student's assessed educational achievement is more than one standard deviation below the student's intellectual ability 2. In any of the following areas: oral expression listening comprehension written expression basic reading skills reading comprehension math calculations math reasoning spelling in which the student has had appropriate learning experiences

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
8. Is this student learning disabled? (Cont'd)				3. Written report documents both a. the degree of discrepancy and b. method of computing the discrepancy Option 1. A comparison of standardized scores obtained from using standardized tests of intelligence and achievement (confirmed by classroom observation). Tests must have the same mean and standard deviation or the scores must be converted to a common metric such as T-scores or Z-scores Option 2. Based on the documentation of the team's judgment when comparisons of standardized tests do not meet the greater than one standard deviation criterion, but team and classroom observation concur that a severe discrepancy exists; document basis for team's judgment and specify results obtained from standardized testing, if any, AND reports by parents AND observation of the student's classsroom performance AND student work samples AND other items as needed Option 3. Severe discrepancy between intellectual functioning/educational achievement confirmed by team judgment and classroom observation when appropriate assessment instruments were not available . rationale for determining appropriate instruments not available . documentation of the team's determination that a severe discrepancy

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ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
8. Is this student learning disabled? (Cont'd)				exists supported by data obtained from standardized testing, if any, AND reports by parents AND observation of the student's classroom performance AND student work samples AND other items as needed Documentation is provided describing reasons why standardized assessment instruments were inappropriate for this student; AND Documentation of supporting data including reports by parents, observation of classroom performance; AND Written description of the team's rationale for deciding that a severe discrepancy exists is provided ------------------AND------------------
	Indication of areas of unsatisfactory performance not related to intellectual functioning or experience	Data from language, academic or behavioral assessment verifying that achievement/performance is inconsistent with intellectual functioning and experience	Someone other than student's regular teacher	C. OBSERVATION Written report of observations describing the relationship of the student's behavior to the student's educational functioning in suspected areas of disability when the student is engaged in learning activities appropriate for age, experience and normal intellectual ability level ------------------AND------------------

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ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
B. Is this student learning disabled? (Cont'd)	Vision and hearing appears adequate AND General health history indicates (1) no lengthy absences from school due to medical problems, (2) no indication of motor-handicap, (3) no indication of neurological dysfunction, (4) no indication of use of medication that would adversely affect the student's ability to attend and perform satisfactorily in class.			D. PHYSICAL Written report stating that referral level health data or other health examinations indicate no medical reason for the severe discrepancy OR Other data identified by the MDT . to substantiate that the discrepancy is not primarily the result of vision/hearing/motor handicap OR . to identify effects of any relevant finding on the student's educational functioning AND . to specify any instructional management needs in the light of relevant medical findings
	OR General health history or vision/hearing screening indicates motor handicap, neurological dysfunction, vision/hearing problems, or use of medication that may adversely affect the student's in-class behavior. The student should be referred for a physical examination by the appropriate specialist.	Current specialist's report of physical examination describing the status of physical functioning and its relationship to the student's unsatisfactory educational performance and whether the student's performance is primarily the result of the conditions or of missing school because of the condition AND any information for managing the student's instruction relevant to the medical findings.	Appropriately licensed specialist or licensed physician	----------------AND----------------

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ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
8. Is this student learning disabled? (Cont'd)	Annual information reported by parents, school records, language data, attendance records and other referral data verify that cultural, environmental or economic factors are not the primary cause of the student's learning problems. OR If referral information regarding effect of culture, language or environmental factors is not clear, referral for specific assessment is made.	Results of comprehensive language assessment, sociological assessment and emotional/behavioral assessment confirm that the severe discrepancy is not primarily due to cultural, environmental, or economic disadvantage and specify the basis for the confirmation.	Assistance from personnel appropriately trained for assessments to accommodate student's language needs. Personnel give consideration to assessment procedures to accommodate cultural differences.	E. EXCLUSIONS Written report of MDT specifies the basis for stating that severe discrepancy is not primarily the result of cultural differences, environmental causes, or economic disadvantage. -----AND-----

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
8. Is this student learning disabled? (Cont'd)	Identification of areas in which student is not making satisfactory progress in the regular program of instruction when provided with appropriate learning experiences	Identification of adaptation of content, method, setting, instructional materials, or other instructional or related services needed by the student to achieve and maintain satisfactory progress that are only available in special education AND Identification of specific modifications needed by the student to achieve and maintain satisfactory progress in appropriate instructional setting with nonhandicapped students, including those to be provided through special education support and those that should be provided by the regular program	Educational diagnosticians, psychologist, and psychological associate with special education certified teachers	F. NEED FOR SPECIAL EDUCATION MDT report specifies the basis for assuring the severe discrepancy between achievement and ability is not correctable without special education --------------------AND------------------

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
8. Is this student learning disabled? (Cont'd)		Comprehensive assessment report of the results of the evaluation provides documentation to confirm the MDT's statements		G. MULTIDISCIPLINARY TEAM REPORT To establish a student's eligibility in the area of learning disability, the MDT shall prepare a written summary statement that findings documented in the comprehensive assessment report confirm the student meets all federal and state eligibility criteria. Specifically the following six areas must be addressed: 1. The student has a learning disability 2. The basis for determining the presence of a learning disability including the appropriate identification of a severe discrepancy between achievement and intellectual ability in one or more of the following areas: . Oral expression . Listening comprehension . Written expression (including spelling) . Basic reading skill . Reading comprehension . Mathematics calculation or . Mathematics reasoning AND a statement of the degree of discrepancy and the method used to determine the severe discrepancy. AND evidence to substantiate the student does not achieve commensurate with ability levels when provided with appropriate learning experiences

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
8. Is this student learning disabled? (Cont'd)				AND evidence to substantiate the student's severe discrepancy between ability and achievement is not primarily the result of (a) A visual, hearing, or motor handicap (b) Mental retardation (c) Emotional disturbance (d) Environmental, cultural, or economic disadvantage 3. The severe discrepancy is not correctable without special education services 4. The educationally relevant medical findings, if any 5. The determination of the team concerning the effects of environmental, cultural, or economic disadvantage 6. The relevant behavior noted during the observation of the student in the appropriate educational setting and the relationship of that behavior to the student's academic functioning 7. Each team member shall certify in writing whether the report reflects his conclusion. If it does not reflect his conclusion, the team member must submit a separate statement presenting his conclusions NOTE: The MDT report should indicate where each of the required summary items is located in the comprehensive assessment report

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ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
9. Is this student speech handicapped?	Dysfluency Mispronunciation of words appropriate to the student's age and ability level which do not seem to be the result of dialectical or second language differences Inability to communicate basic needs consistent with age and ability Difficulty understanding and using oral communication that is not primarily the result of having a dominant language other than English Noticeable hoarseness, breathiness or persistent voice quality problems	Assessment of language factors which seems to indicate speech and/or language problem which interferes with academic or behavioral or developmental functioning	Certified speech and hearing therapist Physician for voice disorders or any physical anomaly	Speech therapist's examination resulting in written report stating that student has a communication disorder Type of impairment (stuttering, impaired articulation, language impairment, voice impairment) Degree of severity Effect of the communication disorder resulting in an educational need SBOE §89.211(i) & 89.233(d)(3)
10. Is this student autistic?	Classroom signs may be similar to those listed in #1, #3, #6, #7, #8 and/or #9 above	Assessment indicates problems in language factors, emotional/behavioral factors, physical factors, intellectual factors which interfere with educational functioning	Licensed physician, psychiatrist, or psychologist with experience or training in the diagnosis of autism AND Certified speech therapist AND Educational diagnostician OR other student evaluation specialist licensed or certified to assess diagnostic characteristics of infantile autism or other pervasive developmental disorders	Examination by all three team members resulting in written report stating that the student demonstrates diagnostic criteria for infantile autism or other pervasive developmental disorders in DSM-III Report includes type and severity of the specific pervasive developmental disorder and specific recommendations for behavior management and family counseling. SBOE Rule Section 89.211(j)

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE SECOND SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT MEET LEGAL CRITERIA FOR A HANDICAPPING CONDITION?

HANDICAP SUBQUESTION	REFERRAL INDICATORS	ASSESSMENT INDICATORS	PERSONNEL NEEDS	SPECIFIC ASSESSMENT REQUIREMENTS
11. Is this student multiply handicapped?	Classroom signs for any of the handicaps listed above	Assessment indicates problems in two or more areas of functioning which interfere with educational functioning	Personnel designated by SBOE rules to document criteria for each of two or more handicapping conditions.	Examinations by appropriate professionals resulting in reports stating that eligibility criteria for two or more handicaps are met; AND • the handicapping condition is expected to continue indefinitely • the disabilities require comprehensive instruction and related services in programs for the severely handicapped • the disabilities impair performance in all five areas: - psychomotor skills - self-care skills - communication - social and emotional development - cognition SBOE Rules Section 89.211 (k)
12. Is this student pregnant?	Obvious signs or report from the student or other that the student is pregnant	Assessment of physical factors or interviews with student, teacher, or parents indicate that she is pregnant and either needs or requests special education services	Licensed physician	SBOE Rules Section 89.211 (1) SBOE Rules Section 89.233(d)(2)

III. Determining an Educational Need

By the time the first phase of the assessment has been completed, there will typically be clear evidence of the presence or absence of a disability and whether the student meets legal criteria for a disability. However, even if the disability can be shown, special education services will not be provided unless it can be demonstrated that, because of the disability, there is an educational need that can be met only in special education.

Subdecision: Does this student have an educational need resulting from the disability?

Just as education is now being defined more broadly than ever before, educational need is being defined more broadly than in the more traditional terms of academic performance. Educational need can, of course, still be defined in terms of academic performance and measured in a variety of ways.

SBOE rules state that the purpose of the assessment of educational performance is:

- to determine whether this student has academic, developmental, or behavioral deficits;
- to provide information about the student's strengths and weaknesses; and
- to identify the specific modifications of instructional content, setting, methods, and materials required by the student to achieve and maintain satisfactory progress, including those that can only be provided through special education services and those adaptations necessary for the student's progress in regular classes.

Assessment should provide evidence that the student does not achieve commensurate with age and ability levels when provided with appropriate learning experiences, to the extent that the student cannot adequately be served in the regular classes.

Classroom functioning must be "below average" performance for the grade. Classroom observation by someone other than the teacher should confirm the lack of achievement and satisfactory progress in the regular class. When educational performance is consistent with assessed intellectual ability, the student shall not be eligible to be classified or served as learning disabled.

Many disabilities will directly affect the student's ability to achieve at an appropriate level. However, while some students may be able to maintain acceptable academic achievement levels in certain situations or environments, their disabilities interfere with their ability to interact appropriately with their teachers and/or peers. For these students, educational need must be defined in terms of behavior rather than academic achievement. Still other students, because of their young age or the severity of their disabilities, cannot be assessed appropriately using the usual measures of academic achievement or behavioral standards. The need for special education services of this third group of students must be defined in developmental terms. Just as in the first part of eligibility assessment, referral information will help to define the type and level of assessment necessary to establish an educational need. The handicapping condition suspected after the completion of the first phase of the eligibility assessment will also help to define the area of assessment appropriate for the second phase.

The following chart presents the subquestion which should be answered in order to determine whether the student has an educational need resulting from a disability. For each subquestion, there are discussions of the implications of previously gathered information.

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE THIRD SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE AN EDUCATIONAL NEED RESULTING FROM A DISABILITY?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	PREVIOUS ASSESSMENT RESULTS	ASSESSMENT ALTERNATIVES	POSSIBLE INTERPRETATIONS
1a. Does this student have an educational need in the academic domain?	Achievement scores significantly low Grades in any or all subjects significantly below class average Teacher reports classroom functioning below expectation	Documentation of disability met	Review achievement test subscales to determine possible patterns indicating interference of identified disability with ability to perform in test situation Observe student in classroom to determine possible effects of identified disability on classroom performance Interview teacher(s) to determine extent to which class performance evaluation may have been affected by disability Administer individual norm-referenced achievement test in academic area identified in referral data as possible problem, noting interference of identified disability in test performance	Educational need established as determined by achievement and class performance, tests, and presence of disability (OR) No educational need established; achievement and class problems not shown to be related to identified disability
		Documentation of disability not met	Verify with classroom teacher that referral data are accurate and discontinue further assessment with ARD approval	No educational need for special education can be established, therefore no legal handicap

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE THIRD SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE AN EDUCATIONAL NEED RESULTING FROM A DISABILITY?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	PREVIOUS ASSESSMENT RESULTS	ASSESSMENT ALTERNATIVES	POSSIBLE INTERPRETATIONS
1a. Does this student have an educational need in the academic domain? (cont'd)	Achievement scores, grades and/or classroom functioning not significantly below school or class mean	Legal criteria for handicapping condition met	Observe student in classroom setting, verifying lack of academic needs and noting possible behavioral problems which might interfere with learning	No educational need established; disability present, but not interfering with academic functioning (OR) Educational need established in the behavioral area (see next section)
		Legal criteria for handicapping condition not met	Verify with classroom teacher that referral data are accurate and discontinue further assessment with ARD approval	An educational need for special education cannot be established without a leagal handicap.
1b. What modifications (content, setting, methods, materials) are needed to achieve and maintain the satisfactory progress in this area that can only be provided in special education?	Track alternatives tried and results of those efforts, noting what did not work.	Describe academic areas and levels where the student was not able to perform in the classroom		
1c. What specific adaptations (content, setting, methods, materials) are recommended for the student to achieve and maintain satisfactory progress in any mainstreamed classes?	Track referral data, noting what did work.	Note academic areas where the student can work in the regular classroom.		

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE THIRD SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE AN EDUCATIONAL NEED RESULTING FROM A DISABILITY?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	PREVIOUS ASSESSMENT RESULTS	ASSESSMENT ALTERNATIVES	POSSIBLE INTERPRETATIONS
2a. Does this student have an educational need in the behavioral domain?	Inconsistencies in achievement scores and/or grades and/or classroom functioning Significant behavior problems noted	Legal criteria for handicapping condition met	Review achievement test subscales to determine possible patterns indicating interference of identified disability with ability to perform in test situation Observe student in classroom to determine possible behavior problems resulting from identified disability Interview teacher(s) to determine extent to which identified disability may be interfering with class performance and/or behavior Administer individual norm-referenced achievement tests in academic areas identified in referral data as possible problems, noting possible interference of behavior in test performance	Educational need established as determined by observed behavior, achievement and class performance, tests, and presence of disability (OR) No educational need established on basis of academic performance or behavior; achievement and class problems not shown to be related to identified disability
		Legal criteria for handicapping condition not met	Verify with classroom teacher that referral data are accurate and discontinue further assessment with ARD approval	No educational need for special education can be established without a legal handicap

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE THIRD SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE AN EDUCATIONAL NEED RESULTING FROM A DISABILITY?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	PREVIOUS ASSESSMENT RESULTS	ASSESSMENT ALTERNATIVES	POSSIBLE INTERPRETATIONS
2a. Does this student have an educational need in the behavioral domain? (cont'd)	Achievement scores, grades, and/or classroom functioning inconsistent No significant behavior problems noted	Legal criteria for handicapping condition met	Verify with classroom teacher that referral data are accurate Reconsider academic assessment as described above Discontinue further assessment with ARD approval	Educational need established in academic areas (see previous criteria) (OR) Educational need cannot be established in either academic or behavioral areas
		Legal criteria for handicapping condition not met	Verify with classroom teacher that referral data are accurate and discontinue further assessment with ARD approval	No educational need can be established without a legal handicap
2b. What modifications (content, setting, methods, materials) are needed to achieve and maintain satisfactory progress in this area that can only be provided in special education?				
2c. What specific adaptations (content, setting, methods, materials) are recommended for the student to achieve and maintain satisfactory progress in any mainstreamed classes?				

Note: Based on referral data, observations, and formal assessment, what behaviors does the student lack which indicate that he cannot be served in a regular class ?

Describe what special education can provide that is not possible in the regular class.

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE THIRD SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE AN EDUCATIONAL NEED RESULTING FROM A DISABILITY?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	PREVIOUS ASSESSMENT RESULTS	ASSESSMENT ALTERNATIVES	POSSIBLE INTERPRETATIONS
3a. Does this student have an educational need in the developmental domain?	All functioning appears to be at preacademic levels inconsistent with age	Legal criteria for handicapping condition met	Verify with classroom teacher or referral sources that referral data are accurate Administer developmental or other preacademic scale to establish exact level of functioning	Educational need established as determined by referral information and developmental assessment and presence of disability (OR) No educational need established; developmental lag not shown to be significant or related to disability
		Legal criteria for handicapping condition not met	Verify with classroom teacher or referral source that referral data are accurate	No educational need for special education can be established without a legal disability
	All functioning appears to be at preacademic levels consistent with age	Legal criteria for handicapping condition met	Verify with classroom teacher or referral source that referral data are accurate Administer developmental or other preacademic scale to determine exact level of functioning	Educational need established as determined by developmental assessment and presence of disability (OR) No educational need based on developmental scales
		Legal criteria for handicapping condition not met	Verify with classroom teacher or referral source that referral data are accurate	No educational need for special education can be established without a legal disability

ELIGIBILITY ASSESSMENT ANSWERS THE QUESTION: IS THIS STUDENT ELIGIBLE FOR SPECIAL EDUCATION?
ASSESSMENT FOR THE THIRD SUBDECISION ANSWERS THE QUESTION: DOES THIS STUDENT HAVE AN EDUCATIONAL NEED RESULTING FROM A DISABILITY?

SUBQUESTIONS	INDICATORS IN REFERRAL DATA	PREVIOUS ASSESSMENT RESULTS	ASSESSMENT ALTERNATIVES	POSSIBLE INTERPRETATIONS
3b. What modifications (content, setting, methods, materials) are needed to achieve and maintain satisfactory progress in this area that can only be provided in special education?				
3c. What specific adaptations (content, setting, methods, materials) are recommended for the student to achieve and maintain satisfactory progress in any mainstreamed classes?				

Note: Based on referral data, observations, and formal assessment, what areas of development does the student lack which indicate that he cannot be served in a regular class?

Describe what special education can provide that is not possible in the regular class.

SUMMARY OF POSSIBLE ASSESSMENT ACTIVITIES FOR DETERMINING ELIGIBILITY FOR SPECIAL EDUCATION

1. Review referral data

2. Interview student, noting:
    a. language
    b. physical functioning
    c. behavior in adult-student and test situations
    d. home, family, or cultural factors which may affect learning
    e. manifestations of intelligence and adaptive behavior
    f. manifestations of academic achievement in areas of concern
    g. manifestations of a disability

3. Observe student in classroom, noting:
    a. language
    b. physical functioning
    c. behavior in student-student and student-teacher classroom situations
    d. behavior in situations requiring performance in areas of academic need
    e. manifestations of a disability

4. Interview current teacher(s) (in person or in writing) for verification of 1, 2, and 3 above

5. Interview parent(s) or legal guardian (in writing, by phone, or in person), noting parent's perception of student's:
    a. language
    b. physical functioning
    c. behavior at home with family and neighborhood peers
    d. home, family, or cultural factors which may affect learning
    e. adaptive behavior

6. Collect and review results of assessments of this student done by anyone else for any purpose

7. Refer student for assessment by professionals required to document legal criteria for handicapping condition(s) suspected

8. Administer standardized test(s) in areas of language, physical functioning, behavior, intelligence, and/or adaptive behavior only if they are suspected disability areas based on 1-6 above

9. Administer additional standardized tests which may be required by specific criteria for suspected handicapping condition(s)

10. Administer individual tests of academic achievement in suspected need areas only if:
    a. a learning disability is suspected
    b. available information about levels of achievement is inconsistent or
    c. there are no valid group scores available

11. Collect, summarize, and document all eligibility assessment data

CHAPTER FIVE

IEP ASSESSMENT: THE SECOND PHASE OF ASSESSMENT

After it has been determined through the assessment process and/or the ARD process that the student is disabled and in need of special education services, further assessment must be conducted to identify the specific competencies which the student currently possesses. This identification will in turn make possible the identification of specific program needs and facilitate the development of the individual educational plan (IEP). Assessment of educational performance is designed to identify the specific modifications of instructional content, settings, methods, or material required by the student to achieve and maintain satisfactory progress, including those that can only be provided through special education services and those adaptations necessary for the student's progress in regular classes [State Board of Education Rules, Section 89.233(f)(3)].

Decision: What are the student's specific learning competencies in the identified area(s) of educational need?

Because the purpose of the second phase of assessment is to help develop an appropriate IEP, it is important to conduct the assessment in such a way as to optimally reflect the curriculum and methodologies in place in the school district. For this reason, the rules refer to this assessment as criterion-referenced or curriculum-referenced assessment. That is, the criteria against which the student is measured are the curricular expectations of the district. Therefore, the most appropriate assessment in this phase will have two main characteristics: it will be conducted by someone who knows those expectations, and it will be based on instruments, procedures, or content closely related to the curriculum.

Usually, IEP assessment is not begun until a disability has been identified and a need for special education has been established; its major function is to assist in the development of the IEP, and an IEP is unnecessary if the student is not eligible. Because this assessment should be performed by someone familiar with the curricular expectations of the setting into which the student is most likely to be placed, the teacher or person responsible for that program should conduct the assessment. The student may go to the special education classroom where the assessment may be conducted in a single session if a structured instrument is used. However, if more informal instruments and observations are necessary, particularly in the case of a pre-school or a more severely handicapped child, the child may need to be in the special education setting for several days in order for the teacher to have an opportunity to observe over a long period of time. Because an IEP has not been developed at this time and an ARD committee has not placed the student in special education, this is not considered a placement. It is merely an extension of the assessment process. The time during which this assessment occurs cannot exceed the time limits established for the overall assessment process. If it is impossible for the student to be brought to the school classroom for assessment purposes or if the district chooses not to have the special education teacher conduct the IEP assessment as recommended here, the assessment professional may conduct it as in the more traditional assessment models. This can be accomplished by giving a criterion-referenced test appropriate for that age.

The chart at the end of this chapter identifies suggested types and levels of IEP assessment in response to the findings of the eligibility assessment.

The first column indicates the handicapping condition, the second column identifies the probable level of need for special education services, and the third column suggests types and levels of IEP assessment which may be necessary. It is assumed that vocational competencies will be considered for all students when they are age-appropriate. SBOE rules require that this be accomplished at or before entry into high school.

If the special education teachers in the program into which the student is most likely to be placed are using a structured curriculum which has been commercially developed, it is likely that there is an accompanying instrument to determine entry level. Because such an instrument would identify competencies mastered as well as competencies or objectives to be mastered, it would make an ideal choice for an IEP assessment. If the regular program in the district has a well-defined,objective-based curriculum, there may already be excellent information available about the student's competencies. There are also many excellent published criterion-referenced assessment instruments available. If one of those instruments is to be used in this assessment, it is important to evaluate the instruments and to choose the one(s) which most closely reflect the curriculum used by the district special education teachers. Finally, if the special education teacher is using a curriculum of his or her own design, this assessment might consist of teacher-made instruments and documentation of the teacher's observations of the student over time in situations requiring the student to perform in the identified areas of need.

In addition to IEP assessments in academically-related areas, assessment should be conducted to identify physical, behavioral, and prevocational competencies as appropriate and to identify needs for related services. The special education teacher may be asked to identify observed competencies in some of these areas. Other assessment specialists may also be needed for more specific assessments of the student's competencies in non-academic areas. Just as for academic areas, only those non-academic areas in which it is expected that the student will receive services should be assessed. It is critical that the IEP assessment be directly correlated to the curriculum of the district and that it provide sufficient information to make specific recommendations regarding programming for the student.

Impact of the Statewide Curriculum for Handicapped Students

Special education services provide a support system which will enable all handicapped students to meet district learning goals. These support systems are intended to address the learning needs of two groups of handicapped students: first, mildly handicapped students for whom basic skills instruction is appropriate, and second, severely handicapped students for whom the curriculum does not address their unique learning needs.

The impact of the Statewide Curriculum (19TAC Chapter 75, Section 21.101) on special education will be different for both student groups. For the first group, the impact will be similar to that experienced by other programs designed to serve special populations. Modification of instructional methods, setting, materials, and time will be developed to maximize these students' opportunities for success in mastering basic skills. For the second group, instruction will continue to be based upon goals and objectives that are more developmental in nature and appropriate for their abilities and learning potential.

Any variation for handicapped students is based on the results of the individual assessment. The focus of the comprehensive assessment is curriculum-based and addresses student performance in all required content areas. It determines the student's strengths and weaknesses and prerequisites for mastery of the essential elements. The assessment addresses the modifications in pacing, content, materials, and method needed to provide the student full opportunity for learning in regular and special education. The assessment data also provide the basis for planning remediation of the student's deficits.

The ARD committee carries out the district's policy for placement of students. The ARD committee, in developing the IEP, outlines how special education personnel and regular program instructional personnel will be jointly responsible for the cooperative delivery of effective instruction in the essential elements for each handicapped student. The assessment must provide sufficient data to enable the ARD committee to:

- state the student's functioning level
- recommend placement into regular and special education instruction, including the appropriate grade level or course, based on mastery of prerequisite essential elements
- specify the performance criterion for demonstration of mastery in each subject area, including the competencies the student is expected to have in order to receive a passing grade
- address any consideration for awarding credit or grades, based on the handicapping condition
- address monitoring of the handicapped student's performance in regular education
- address the amount of time in each instructional area to assure compliance with Chapter 75 and adequate time on task to meet IEP objectives
- address any changes from the statewide curriculum requirements designated by the ARD which are based on identified needs of the student as reflected in the assessment data.

The IEP developed by the ARD committee delineates the essential elements to be taught:

a. in special education settings and in regular classes with special education support, and

b. sets performance criteria the student must demonstrate in the essential elements to receive a passing grade in each course in special education or in joint instruction with regular education.

The IEP criteria and time line for evaluation of the objectives specify the performance standard the student is expected to achieve to demonstrate mastery.

Modification of Materials

Assessment should consider needed modification of materials. State adopted textbooks and materials will be used, and modified when appropriate, with other special education instructional materials to teach the essential elements. Special education materials will be available to the regular education teacher for use with handicapped students to assure coordination of instruction.

Modification of Personnel

Because each teacher will teach the basic statewide curriculum, the special education and regular education teachers shall be jointly responsible for the cooperative delivery of effective instruction. The regular teacher will have the primary responsibility for teaching the essential elements unless otherwise determined by the ARD committee. Specifically, special education teachers provide basic instruction in the essential elements for assigned handicapped students when the assessment indicates such modification is necessary. Modifications that may require the participation of special education personnel and setting include:

Below grade level

- to accommodate different developmental level
- to accommodate different rate of learning

At grade level

- to accommodate behavioral needs
- to accommodate physical limitations that prevent instruction in regular classes (blind, deaf, hospitalized)
- to accommodate specific learning disabilities that interfere with instruction in the regular class.

Provide joint supportive instruction to reinforce/follow-up/intensify basic instruction provided by the regular teacher:

- provide alternative methods of presentation to accommodate specific needs
- provide supportive instruction and reinforcement using the same materials as regular teachers
- provide special instructional materials or media to reinforce concepts presented in regular class
- provide supportive accommodations to handicapped students placed in regular programs for instruction
- adapt the methods of assessing a student's knowledge of the subject area or essential elements in the regular classroom to accommodate individual needs
- assist the student in determining and demonstrating appropriate behavior in the regular classroom

Modification of Content

The first level of consideration in content modification would include identification of all content areas and essential elements that the student is expected to learn. Then the decision can be made regarding the extent of modification necessary for the individual student.

Consideration must be given to the following areas:

1. Identify what can be learned in the regular program of instruction to the same performance standard as non-handicapped peers.
2. Identify next what can be learned with handicapped peers but with adjusted performance standards, set according to the needs identified in the assessment process.
3. Identify the essential elements with adjusted performance standards to be taught in special education.
4. When a handicapping condition renders the essential elements inappropriate for an individual student, the district shall provide specially designed instruction to develop the student's knowledge, skills, and competencies for effective and productive living. Districts may employ commercially available programs or develop their own program leading to functional competency.

Evaluation of Progress

The district's system of record keeping to document students' progress through the essential elements should be used to document the progress of handicapped students also. The record should reflect the elements the student has mastered and has yet to master. This record should be used by assessment personnel and at the annual ARD committee meeting to assure that the student has necessary prerequisites for placement decisions and to assure that none of the essential elements are missed when a handicapped student is functioning on different levels in the various content areas.

SUGGESTIONS FOR IEP ASSESSMENT

Handicapping Condition	Probable Services Needed	Suggested Type and Level of IEP Assessment
Orthopedically handicapped	Mainstreamed for academics Related services only	Focus on functional physical competencies, based on eligibility reports and observation; make recommendations for modifications necessary in regular classroom, if any Consider behavioral competencies if this student has experienced some problems in that area Related services assessment required
	Self-contained setting	Address all of above plus all academic (or developmental) areas to be addressed in the classroom
Other health impaired	Same as for OH	Same as for OH
Auditorially handicapped	Mainstreamed for academics or resource only Related services	Focus on language/communication competencies; make recommendations for modifications necessary in regular classroom, if any Assess academic competencies to be addressed in resource, if any Consider behavioral competencies if this student has experienced some problems in that area. Related services assessment required
	Self-contained setting	Assess all of above plus all academic (or developmental) areas to be addressed in the classroom
Visually handicapped	Same as for AH	Same as for AH
Deaf/Blind	Self-contained setting	Same as for AH and VH
Mentally retarded	Resource and related services	Focus on competencies to be addressed in resource room Consider behavioral competencies, especially in relation to possible disciplinary problems

Handicapping Condition	Probable Services Needed	Suggested Type and Level of IEP Assessment
Mentally retarded (cont'd)		Consider physical competencies as they relate to needs for modifications in the program Related services required
	Self-contained setting	Assess all of above plus all academic (or developmental) areas to be addressed in the classroom
Emotionally disturbed	Mainstreamed for academics or resource Related services	Focus on behavioral competencies; make recommendations for modifications necessary in regular classroom, if any; also address behavior as it may relate to discipline problems Assess academic competencies to be addressed in resource, if any (may use available data from regular education if student is at or near grade level) Related services assessment required Consider physical competencies if any problem indicated
	Self-contained setting	Assess all of above plus all academic (or developmental) areas to be addressed in the classroom
Learning disabled	Mainstreamed for academics or resource	Focus on academic competencies in severe discrepancy areas and the effect on functioning in all required areas of instruction, e.g., reading disability - effect on ability to use grade level textbooks, math disability - effect on science courses, etc. Consider behavioral competencies if this student has experienced some problems in that area, especially as they may related to disciplinary action
	Self-contained setting	Assess all of above plus all academic (or developmental) areas to be addressed in the classroom
Speech handicapped	Speech therapy only	Focus on language and communication and the effect of the disorder on the student's ability to meet the communicative demands for adequate classroom performance at the student's assigned grade level Consider physical and behavioral competencies if any problems have been indicated
	Speech therapy plus resource	Assess all of above plus all academic areas to be addressed in the classroom (emphasis would usually be in the area of language development)

Handicapping Condition	Probable Services Needed	Suggested Type and Level of IEP Assessment
Autistic	Self-contained setting	Assess competencies in all academic (or developmental) areas to be addressed in the classroom Assess physical and behavioral competencies as they relate to the classroom
Multiply handicapped	Self-contained setting Related services	Assess competencies in all academic (or developmental) areas to be addressed in the classroom Assess physical and behavioral competencies as they relate to the classroom Related services assessments required
Pregnant	Mainstreamed for academics or resource	Assess competencies in all academic areas to be addressed in the classroom (may use available data from regular education if student is at or near grade level)

CHAPTER SIX

AFTER INITIAL ASSESSMENT

As emphasized in the first chapter, the assessment process is not useful unless it helps provide a better educational program for the student assessed. This chapter briefly addresses both the initial use of assessment data and the on-going assessment necessary to ensure that the student continues to receive the most appropriate, least restrictive educational program possible.

I. Translating Assessment Data Into ARD Decisions

By looking at the assessment process as a decision-making process, it becomes obvious that the type, sequence, and content of the assessment data--and the way in which they are presented to the ARD committee--heavily affect ARD decisions. If the assessment report presents assessment findings, interprets them with respect to the decisions they affect, and presents them in an order in which the ARD committee logically should make its decisions, the ARD process itself becomes simple. The ARD committee systematically considers each part of the information necessary to make each decision. If the committee determines at any point that the student does not meet conditions for eligibility, the meeting may be adjourned after the members have signed the form indicating their agreement with the decision. The chart on the next page indicates questions which may assist in translating assessment data into ARD decisions.

TRANSLATING ASSESSMENT DATA INTO ARD DECISIONS

ASSESSMENT DATA	LEAD TO	ARD DECISION
Eligibility Assessment Data		Does the student have a legally-defined disability? (If yes, proceed with ARD) (If no, conclude ARD at this point)
Eligibility Assessment Data		Does the student need special education services because of a disability? (If yes, proceed with ARD) (If no, conclude ARD at this point)
IEP Assessment Data		What is the most appropriate educational plan (goals and objectives) for the student?
All Data		What is the most appropriate, least restrictive placement for the student?

II. Annual Review

No less than once a year after initial placement, the ARD committee meets to reconsider the student's continued eligibility for special education and to develop a new IEP. If eligibility (the presence of a legally-defined handicapping condition, which includes a need for special education resulting from the disability) has been questioned by anyone, all or part of the eligibility assessment may be repeated either to verify or rule out continued eligibility. (See Section III of this chapter for recommendations for that process.) However, if eligibility is not in question, the only assessment which must be repeated annually is the IEP assessment conducted by the special education teacher. Much of the information for this assessment can be gathered from the teacher's own records of the student's progress and accomplishments during the year. The assessment should specifically address the degree to which the student successfully accomplished the IEP objectives which were developed for the preceding year.

III. Re-evaluation

No less than once every three years after initial evaluation (or whenever an ARD committee determines that a complete reevaluation is necessary) each student should be completely re-evaluated to provide updated information for ARD decisions. The assessment professional will decide the type and level of assessment necessary within each area of functioning, but the process will be essentially the same as the initial eligibility assessment process presented in Chapter Four of this manual. The IEP assessment portion of the re-evaluation will be accomplished just as in the annual review described above.

The remainder of this section will describe each activity in the assessment process, presented in the same order as in the summary of the initial process at the end of Chapter Four, identifying recommendations for accomplishing that activity differently (if necessary) for a comprehensive re-evaluation.

SUMMARY OF POSSIBLE ASSESSMENT ACTIVITIES FOR COMPREHENSIVE RE-EVALUATIONS

A. Update referral data - In general, update all information which may help to verify continued eligibility for special education or contribute to the development of a better IEP. If the student was an out-of-school child when the original referral was made, some of this information may be new rather than updated.

1. Classroom observation - If this student is mainstreamed, some information should be collected from his/her regular teachers regarding academic progress, physical functioning, and behavior in the classroom

2. Attendance information - Update to determine if attendance has improved or become worse since placement in special education

3. Grades - Update to determine if grades have improved or become worse since placement in special education

4. Achievement data - Update to determine if test scores have reflected progress made in special education

5. Out-of-school functioning - Update to determine if parents have had any conferences with school personnel regarding the student

6. Health functioning - Update to determine if there have been any changes in the student's health status since initial placement in special education

7. Language information - If the student had limited English dominance or proficiency at the time of initial placement, update to determine current language status

B. Determine eligibility for special education

1. Review updated referral data

2. Interview student, noting any changes in:
   a. language
   b. physical functioning
   c. behavior in adult-student, student-student, and test situations
   d. home, family, or cultural factors which may affect learning
   e. manifestations of intelligence and adaptive behavior
   f. manifestations of academic achievement in areas of concern
   g. manifestations of legal criteria for a handicapping condition

3. Observe student in classroom, noting any changes in:
   a. language
   b. physical functioning
   c. behavior in student-student and student-teacher classroom situations
   d. behavior in situations requiring performance in academic need areas
   e. manifestations of legal criteria for a handicapping condition

4. Interview current teacher(s) (in person or in writing) for verification of 1, 2, and 3 above

5. Interview parent(s) or legal guardian (in writing, by phone, or in person) noting changes in parent's perception of student's:
   a. language
   b. physical functioning
   c. behavior at home with family and neighborhood peers

- d. home, family or cultural factors which may affect learning
- e. adaptive behavior
  (If this was accomplished initially by having the parent complete a written form, a copy of the initial completed form may be sent home with a request to parents to correct only those items that have changed)

6. Collect and review results of assessments of this student done by anyone else for any purpose

7. Refer student for assessment by professionals required to document legal criteria for handicapping condition(s) identified (or new ones suspected)

8. Administer standardized test(s) in areas of language, physical functioning, behavior, intelligence, and/or adaptive behavior only if:
   - a. the area was identified as a disability initially, or
   - b. there is some indication that there is now a possible disability in that area based on 1-6 above

9. Administer additional standardized tests which may be required by specific criteria for identified or suspected handicapping conditions (see part C below)

10. Administer individual tests of academic achievement in identified or suspected need areas only if:
    - a. there are no group scores available,
    - b. available information about levels of achievement is inconsistent, or
    - c. a learning disability has been identified or is suspected

11. Collect, summarize, and document all eligibility assessment data

C. Document legal criteria for handicapping conditions

1. Orthopedically handicapped - Statement from licensed physician, as initially, including functional implications

2. Other health impaired - Statement from licensed physician, as initially, including functional implications

3. Auditorially handicapped
   - a. statement from otologist or licensed physician, as initially
   - b. statement from audiologist, as initially, including functional implications
   - c. if auditory handicap is obviously irreversable, reference to initial medical statement may be sufficient; however, new functional assessment still necessary

4. Visually handicapped
   - a. statement from ophthalmologist or optometrist, as initially
   - b. statement from certified VH or O&M person, as initially
   - c. if visual handicap is obviously irreversable, reference to initial medical statement may be sufficient; however, new functional assessment still necessary

5. Deaf/blind
   Same as 3 and 4 above

6. Mentally retarded
   a. First re-evaluation - Student has been in special education, identified as MR for at least three years
      (1) administer full scale IQ test
      (2) update information from adaptive behavior scale, or administer one if none was administered initially
      (3) verify consistency of test information with student's teacher(s)
   b. Subsequent re-evaluation - Student has been in special education, identified as MR for at least six years, and initial IQ score and first reevaluation IQ score are in the same range
      (1) administer screening level or short form IQ test
      (2) update adaptive behavior information
      (3) verify consistency of test information with student's teacher(s)
   c. If at any point new test data or other information is inconsistent with previous information, administer new full scale IQ and adaptive behavior instruments

7. Emotionally disturbed - Statement from psychiatrist, psychologist, or psychological associate, as initially, but emphasizing functional implications

8. Learning disabled - Statement from multidisciplinary team, as initially, including all five areas of criteria

9. Speech handicapped - Statement from speech therapist, as initially, but emphasizing functional implications

10. Autistic - Statement from multidisciplinary team, as initially, but emphasizing functional implications

11. Multiply handicapped - Documentation of criteria for two other handicaps and other criteria as initially required, but emphasizing functional implications

12. Pregnant - Not applicable

CHAPTER SEVEN

SPECIAL ASSESSMENT ISSUES

I. General Guidelines for Special Assessment Problems

The recommendations provided in the previous chapters for the assessment process are appropriate for the majority of students who will be assessed for possible admission to the special education program. There are a number of characteristics which can be generally assumed about these students which make the kinds of assessments discussed appropriate. First, these students are already enrolled in the public school and attending classes in the regular education program. This usually means that potential handicaps are relatively mild and easily identifiable. Second, regular teachers will have had some experience with the students and will be able to contribute vital information about the students' actual school functioning to the assessment process. These students will have had some experience with the school setting and probably with standard test-taking situations. Finally, these students are school-aged--primarily elementary-level--which means that there are usually standardized tests available to measure their abilities and achievements in school-related areas and that assessment personnel have been trained to assess students of their age.

For a smaller percentage of students, the assessment guidelines presented in the preceding chapters will not be appropriate without some modification. Although all of the general procedural requirements of SBOE rules must be met for all students being assessed, characteristics of some handicapped groups preclude a strictly traditional assessment. These groups include early childhood or pre-school-aged children, multiply handicapped students, secondary-aged handicapped students, bilingual handicapped students, and students who appear to be speech handicapped only. The same types of characteristics of the majority of handicapped students which made traditional forms of assessment appropriate are the characteristics which make traditional assessment difficult or inappropriate for these special populations. The amount and type of school experience (if any), opportunities for observation of actual school functioning, acculturation to the school setting and the test-taking situation, availability of appropriate instruments, and the type of training available to assessment professionals are all significant factors in the assessment of one or more of these special populations. In this chapter we will address the specific problems encountered by assessment professionals for each of these populations and provide some suggestions for solving those problems within the requirements of SBOE rules. It is important to point out, however, that special education SBOE rules addressing the assessment process have already provided some general guidelines for assessing students when the generally recognized and acceptable procedures are not available or appropriate.

First, SBOE Rules, Section 89.233(d)(4) states:

> Assessment of very young or severely handicapped students in accordance with this section may not be possible. The professionals responsible for assessing such students must document the rationale for deviating from the standard procedures as well as the results of the assessment. When a student's physical, mental, or emotional deficits are so severe as to make usual assessment impossible, the written report must specify the nature and extent of the disability. Such a condition would represent a significant educational need. The educational assessment of such a student may be limited to competency-based or criterion-referenced measures.

Then, SBOE Rules, Section 89.233(e)(3)(B) states:

> The professional responsible for assessing each area shall make professional judgments regarding the degree to which the assessment in each area is necessary.

In general, the Texas Education Agency has consistently advised assessment professionals to exercise professional judgment in individual cases where the procedures prescribed by SBOE rules are not appropriate. One of the objectives of this manual is to reinforce that advice and to provide some guidance in making those judgments. As a general "rule-of-thumb," the following list of procedures will be appropriate for assessment of any potentially handicapped student:

1. Identify assessment SBOE rules requirements (if any) which are applicable to this case.
2. Determine whether any of the procedures outlined are appropriate for the student being assessed.
3. If any procedures are appropriate, follow them accordingly.
4. If the procedures provided are not appropriate, describe in writing why they are not appropriate for this particular student.
    a. Determine what alternative procedures will be more appropriate.
    b. Describe in writing why the alternative procedures are more appropriate.
5. Conduct the assessment as planned.
6. Describe in writing the results and interpretations of the assessment.

II. Assessment of Early Childhood Students

A. Issues

Pre-school-aged children meet all of the assumptions about assessment of special populations and are difficult to assess using the usual formal assessment procedures.

1. There are certain characteristics of the children which make traditional assessment difficult.
    a. They lack skills which may be prerequisite for the process of taking standardized tests, such as holding a pencil or crayon, following directions, focusing on a visual symbol, etc.
    b. They lack experience with testing situations and may not understand what is expected of them.
    c. They may respond to tests affectively rather than cognitively; that is, their responses may indicate their feelings at that particular moment in time, rather than their understanding of the question.
    d. They may have experienced a temporary developmental lag or non-sequential development. Not all children develop at exactly the same rate in the same developmental sequence, which makes scales based on normal developmental sequence difficult to interpret.
2. There are certain characteristics of tests for young children that may interfere with appropriate assessment.
    a. Many tests developed for early childhood populations have not met basic standards of technical adequacy.
    b. It is difficult to establish either construct or predictive validity for this age population.
    c. Reliability--especially test-retest--is difficult to establish.
    d. Tests for this population were frequently developed on very small local or regional norm samples, making generalization poor.

3. The legal eligibility criteria for handicapping conditions are difficult to apply to this population because they were developed and stated in terms of school expectations.
4. Placement for pre-school-aged students in special education is usually self-contained. There are minimal options for "mainstreaming" pre-school children.

B. Rules Requirements

All requirements in special education rules regarding assessment must be met for pre-school-aged children. Even when children are classified as developmentally delayed by other agencies, they must still meet legal eligibility criteria. "Early childhood" is not a handicapping condition in and of itself.

1. All referral data required by rules must be collected for pre-school-aged children or otherwise documented. Special education personnel may be involved in collecting referral data for pre-kindergarten students.
2. Assessment must be conducted in all required areas.
3. Legal criteria for handicapping conditions must be met.

C. Referral Data

1. Collect referral data in each of the required areas.
2. Interpret those data as suggested in Chapter Two, for out-of-school children:
    a. Reason for referral
    b. Observation (during a typical time period in the most usual situation, optional)
    c. Past school data, if any [particularly from day care, nursery school, Early Childhood Intervention (ECI) programs, etc.]

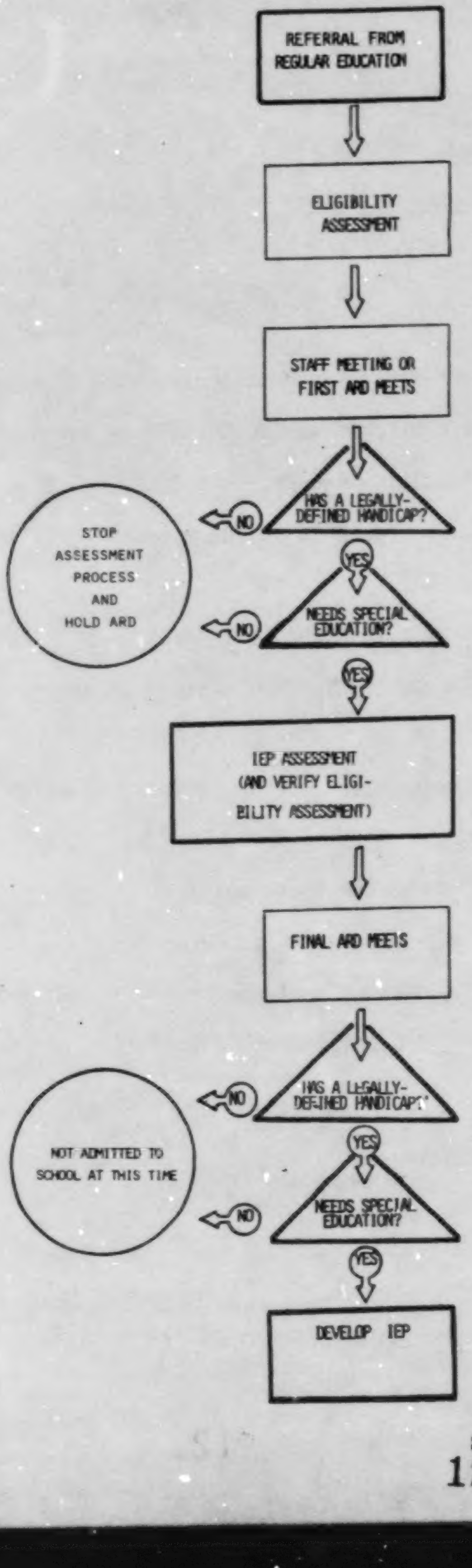
   d. Developmental history
   e. Parent conference information
   f. Health functioning information
   g. Information about previous referrals
   h. Previous interventions (either by private specialists or by parents)

D. An Assessment Model

The model for assessment of pre-school-aged students which appears on the next page is the same as that published in the Guidelines for Early Childhood Assessment (Texas Education Agency, Fall 1982). Its main features which resolve some of the issues presented in the assessment of early childhood students are:

1. Most of the eligibility assessment is accomplished by the assessment person in a single session without heavy reliance on standardized tests.
   a. This decreases the need to rely on instruments which are less than adequate.
   b. This decreases the chances that decisions will be based on a child's first experience with standardized tests.
   c. This decreases the chances that decisions will be made on the basis of a child's skills (or lack of them) in taking tests.

A SUGGESTED PROCESS FOR EARLY CHILDHOOD ASSESSMENT


REFERRAL FROM REGULAR EDUCATION
ELIGIBILITY ASSESSMENT
STAFF MEETING OR FIRST ARD MEETS
HAS A LEGALLY-DEFINED HANDICAP?
NO
YES
STOP ASSESSMENT PROCESS AND HOLD ARD
NEEDS SPECIAL EDUCATION?
NO
YES
IEP ASSESSMENT (AND VERIFY ELIGIBILITY ASSESSMENT)
FINAL ARD MEETS
HAS A LEGALLY-DEFINED HANDICAP?
NO
YES
NOT ADMITTED TO SCHOOL AT THIS TIME
NEEDS SPECIAL EDUCATION?
NO
YES
DEVELOP IEP

PROCESS	PERSONS RESPONSIBLE	APPROX. TIMELINE (WORKING DAYS)
REFERRAL FROM REGULAR EDUCATION	REGULAR/SPECIAL EDUCATION PERSONNEL	1
ELIGIBILITY ASSESSMENT	ASSESSMENT PERSONNEL	5
STAFF MEETING OR FIRST ARD MEETS	INFORMAL STAFFING	10
IEP ASSESSMENT (AND VERIFY ELIGIBILITY ASSESSMENT)	EC TEACHER AND ASSESSMENT PERSONNEL	11 through 30
FINAL ARD MEETS	ARD COMMITTEE	
DEVELOP IEP	ARD COMMITTEE	

2. After the initial assessment, an informal staffing is held to determine whether it is probable that the child meets the criteria for a handicap.
    a. When the informal staffing is used, there must be enough time to complete the comprehensive assessment within the 30 working day timeline.
    b. If there is no evidence to suggest a handicapping condition, an ARD committee determines that the child is not eligible.
3. Further assessment may be conducted over a period of time in the early childhood classroom. Remember that all assessment must be completed within 30 working days of the date the referral was accepted by special education.
    a. The early childhood teacher, who will ultimately be responsible for instruction, will be the major collector of IEP assessment data.
    b. The child will have a chance to become accustomed to the school setting and the classroom expectations and, therefore, can be observed in a more natural environment than a testing site.
    c. The assessment professional will be able to check out the initial findings regarding eligibility by gathering additional observational data to support test data.
    d. This assessment process is one model which can be used in an early childhood classroom when additional information is needed.

4. After the assessment is completed, an ARD committee meets to examine eligibility and to develop the IEP.

E. Eligibility Assessment

1. Language, physical, emotional/behavioral, sociological, and intellectual/adaptive behavior factors may be assessed through the following procedures:
    a. Interview with the parents about functioning in all areas.
    b. Observation/interaction with the child, noting indicators in all areas above.
    c. Developmental and/or cognitive assessment with parent and child.
        (1) If the child is near the appropriate functioning level for his/her age, cognitive scales may be appropriate for intellectual assessment.
        (2) If the child is extremely low functioning and cognitive scales have been found to be inappropriate, developmental assessment may be used.
    d. Adaptive behavior assessment with parent and others as appropriate.
        (1) Look for indicators of ability not demonstrated in other assessment.
        (2) This is most needed if standardized tests are providing inconsistent data or not being used at all.
    e. This part of the assessment may be conducted by an educational diagnostician, psychological associate, or psychologist who has good observational skills and a good working knowledge of child development.

2. Legal criteria for a handicapping condition must be met. Some special procedures for making these determinations are as follows:
   a. Learning disability
      (1) The assessment should focus on the areas of oral expression, listening comprehension, and motor skills prerequisite for written expression.
      (2) Include on the multidisciplinary team the assessment person, the early childhood teacher or a kindergarten teacher or regular counselor.
      (3) Emphasize the use of observation and diagnostic teaching as assessment tools.
      (4) Otherwise, follow the same recommendations as for other students.
   b. Speech handicap
      (1) Consider the possibility that this may be a temporary developmental delay that will lessen with growth and maturation.
      (2) Consider the possible effects of lack of environmental stimulation on speech development, particularly at this age.
      (3) Otherwise, assessment as usual should be conducted by a speech therapist.
   c. Mental retardation
      (1) Consider the use of cognitive or developmental scales plus adaptive behavior assessment.
      (2) Developmental delay should be evident in all areas.

(3) Consider the possible effects of lack of environmental stimulation.

(4) If standardized scores are not attainable, make judgments based on (1) and (2) above and document appropriately.

d. Emotional disturbance

(1) Consider the effects of environmental factors and the possibility of variable rates of development and maturity.

(2) Otherwise, assessment as usual is conducted by a psychologist or psychological associate supervised by psychologist.

e. All other handicaps

(1) Consider environmental factors and variable development and their possible effects on the symptoms of various handicaps.

(2) Otherwise, follow eligibility requirements of rules.

3. Determination of educational need may be accomplished through the following procedures.

a. The assessment of educational need for pre-school-aged children may be accomplished with the same general procedures and instruments as above in many cases.

b. If norm-referenced achievement instruments are not appropriate or available for this child, try developmental scales.

c. Assessment of actual functional behavior is essential. Determine what the child can consistently do as compared to the expectations for his/her age.

d. This stage of assessment may be accomplished by the assessment person with a good working knowledge of child development.

F. IEP Assessment

1. Ideally, this phase should not be attempted until the child has become accustomed to the school and classroom setting.
2. The early childhood teacher may lead the assessment effort at this stage, aided by the diagnostician, speech therapist or other appropriate specialists.
3. Most of this assessment may take place in the early childhood classroom under usual conditions.
4. Classroom observation may be a primary assessment tool.
5. Diagnostic teaching may be a primary assessment tool.
6. Curriculum-referenced assessment including teacher-made tests will be most useful in developing goals and objectives for the IEP.

SUMMARY OF ASSESSMENT OF EARLY CHILDHOOD STUDENTS

A. ISSUES

1. Characteristics of the children themselves make traditional assessment difficult
2. Characteristics of tests for young children may interfere with appropriate assessment
3. Legal eligibility criteria are sometimes difficult to apply to this population
4. Placement for early childhood is usually self-contained

B. RULES REQUIREMENTS

1. All referral data
2. Assessment in all required areas
3. Legal criteria for handicapping conditions must be met

C. REFERRAL DATA

1. Reason for referral
2. Observation (optional)
3. Past school data (if any)
4. Developmental history
5. Parent conference information
6. Health functioning information
7. Information about previous referrals
8. Previous interventions (home or other)

D. AN ASSESSMENT MODEL

1. Initial assessment by assessment person
2. Informal staffing after initial assessment
3. Further assessment in early childhood classroom may be needed in some cases
4. After classroom assessment is completed, ARD and IEP developed

E. ELIGIBILITY

1. Determine disability area
    - a. Interview with parents
    - b. Observation/interaction with child
    - c. Developmental/cognitive assessment with child/parent
    - d. Adaptive behavior assessment with parent and others as appropriate
    - e. Can be done by diagnostician, psychologist, psychological associate

2. Determine legal criteria for handicap

    - a. Learning disability
        - (1) Focus on oral expression, listening comprehension, and motor skills prerequisite to written expression
        - (2) Include assessment person, EC teacher/K teacher
        - (3) May use observation and diagnostic teaching as primary assessment tools

    - b. Speech handicap
        - (1) Consider temporary developmental delay
        - (2) Consider lack of environmental stimulation
        - (3) Assessment conducted by speech therapist

    - c. Mental retardation
        - (1) Consider cognitive or developmental scales plus adaptive behavior
        - (2) Developmental delay is evident
        - (3) Consider possible lack of environmental stimulation
        - (4) If standardized scores not possible, make judgments based on (1) and (2) above and document

    - d. Emotional disturbance
        - (1) Consider environmental factors and variable rates of development
        - (2) Otherwise, usual assessment by psychologist or psychiatrist

    - e. All other handicaps
        - (1) Consider environmental factors and variable development
        - (2) Otherwise, follow usual eligibility criteria

3. Determine need for services

    - a. The same as above in many cases
    - b. Developmental scales
    - c. Assessment of actual functional behavior
    - d. Can be done by diagnostician, psychologist, psychological associate

F. IEP ASSESSMENT

1. Ideally, not done until child becomes accustomed to school and classroom
2. Early childhood teacher may lead assessment with help from diagnostician, speech therapist, others
3. May be conducted in early childhood classroom
4. May use classroom observation
5. May use diagnostic teaching
6. Use curriculum-referenced assessment for development of IEP by ARD committee

III. Assessment of Multiply Handicapped Students

A. Issues

Multiply handicapped students meet all of the assumptions about assessment of special populations, and the usual formal assessment procedures may not be appropriate.

1. There are certain general characteristics of the multiply handicapped student which make traditional assessment difficult.
    a. The students may lack certain skills which may be prerequisite for taking standardized tests (i.e., motor skills, attention skills, communication skills, etc.).
    b. Some multiply handicapped students may have experienced non-sequential development. They may have developed splinter skills and, therefore, may not be developmentally delayed in all areas.
2. There are certain characteristics of standardized tests that make assessment of multiply handicapped students difficult.
    a. Very few tests have been developed that were specifically normed and standardized for this population.
    b. Many tests which are in the appropriate chronological age range do not adequately assess the lower ranges of functioning.
3. Establishing eligibility is more readily accomplished. Identifying specific competencies for this population may take more time but is very important for programming.

B. Rules Requirements

1. All referral data required by SBOE rules must be collected for these students or otherwise documented. Special education personnel may be involved in collecting referral data for the multiply handicapped.

2. Assessment must be conducted in all required areas.

3. Legal criteria for specific handicapping conditions must be met.

C. Referral Data

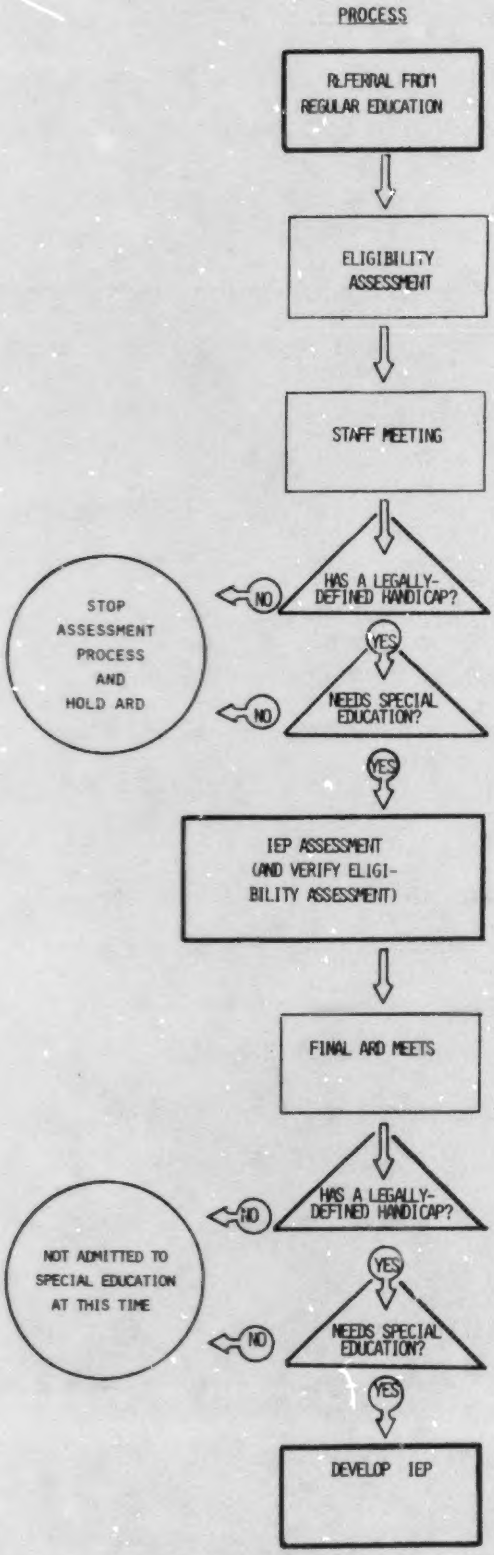
1. Because most multiply handicapped students will not have been in the regular public school when first referred, conduct the referral as suggested in Chapter Two for out-of-school students.
2. Collect data in all of the suggested areas:
    a. Reason for referral
    b. Observation (during a typical time period in the most usual situation; optional)
    c. Past school data (if any), particularly from participation in MH-MR programs, private facilities, etc.
    d. Developmental history
    e. Parent conference information
    f. Health functioning information
    g. Information about previous referrals
    h. Previous interventions (either by private specialists or by parents)

D. An Assessment Model

The model for assessment of multiply handicapped students which appears on the next page is the same as that for early childhood students in the previous section. Its main features, which resolve some of the issues presented in the assessment of multiply handicapped students, are:

1. Most of the eligibility assessment can be conducted by the assessment person without special training in assessing the severely handicapped.

A SUGGESTED PROCESS FOR ASSESSMENT OF MULTIPLY HANDICAPPED STUDENTS


PROCESS
REFERRAL FROM REGULAR EDUCATION
ELIGIBILITY ASSESSMENT
STAFF MEETING
HAS A LEGALLY-DEFINED HANDICAP?
NO
YES
NEEDS SPECIAL EDUCATION?
NO
YES
STOP ASSESSMENT PROCESS AND HOLD ARD
IEP ASSESSMENT (AND VERIFY ELIGIBILITY ASSESSMENT)
FINAL ARD MEETS
HAS A LEGALLY-DEFINED HANDICAP?
NO
YES
NEEDS SPECIAL EDUCATION?
NO
YES
NOT ADMITTED TO SPECIAL EDUCATION AT THIS TIME
DEVELOP IEP

PROCESS	PERSONS RESPONSIBLE	APPROX. TIMELINE (WORKING DAYS)
REFERRAL FROM REGULAR EDUCATION	REGULAR/SPECIAL EDUCATION PERSONNEL	1
ELIGIBILITY ASSESSMENT	ASSESSMENT PERSONNEL	5
STAFF MEETING	INFORMAL STAFFING	10
IEP ASSESSMENT (AND VERIFY ELIGIBILITY ASSESSMENT)	TEACHER OF SEVERELY HANDICAPPED, AND ASSESSMENT PERSONS	11 through 30
FINAL ARD MEETS	ARD COMMITTEE	
DEVELOP IEP	ARD COMMITTEE	

   a. This model decreases the concern about making hasty decisions about multiply handicapped students when appraisal personnel may not have the experience or skills to conduct a full assessment.
   b. This model also reflects the idea that, for these students, eligibility is more easily established than the assessment of competencies, which does require personnel with specialized training.

2. After the initial assessment, an informal staffing may be held to determine whether it is probable that the student meets the criteria for this handicapping condition. If the student is multiply handicapped, that decision may be obvious.

3. Further assessment may be conducted over a period of time in a classroom for the multiply handicapped, although all assessment must be completed within 30 working days of the date the referral was accepted by special education.
   a. The teacher of the multiply handicapped, who will ultimately be responsible for instruction, may be the major collector of data regarding the student's competencies.
   b. The student should have a chance to become accustomed to the classroom environment and then can be observed in a more functional setting. Sometimes observation may occur in the home environment also, because some skills may be more evident in a familiar setting.
   c. Other specialists (diagnostician, psychologist, speech therapist, OT, PT) may also work with the student to verify eligibility areas and to determine specific needs for related services.

4. After the functional assessment period, an ARD committee meets to examine eligibility and to develop the IEP, based on the recommendations of the teacher, parent, and other specialists.

E. Eligibility Assessment

1. Language, physical, emotional/behavioral, sociological, and intellectual/adaptive behavior factors may be assessed through the following procedures:
    a. Interview with parents about functioning in all areas.
    b. Observation/interaction with the student, noting indicators of all areas above.
    c. Developmental and/or cognitive assessment with the student and the parent.
        (1) If the student has significant needs, developmental assessment may be most appropriate.
        (2) If the student has intellectual ability which appears to be near age level, cognitive scales may be more appropriate for intellectual assessment.
    d. Adaptive behavior assessment with parent and others as appropriate.
        (1) The assessment professional should look for indicators of ability not demonstrated in other assessment.
        (2) This assessment is most needed if standardized tests provided inconsistent data or were not used at all.
        (3) This assessment may have to be informal and observational because most adaptive behavior scales are developed

        according to developmental, age-appropriate expectations. Observations may be in the school and/or the home environment.

    e. This stage of assessment can be conducted by an assessment professional who has good observational skills.

2. Legal criteria for a handicapping condition must be met. Some special procedures for making this determination are as follows:

    a. For multiply handicapped criteria to be met, the handicapping condition must be expected to continue indefinitely, and the student's disabilities must require instruction/related services in programs for the severely handicapped.

        (1) Determine the two most serious--and most obvious--handicaps.

        (2) Document that the disabilities severely impair performance in all five areas noted in SBOE rules.

    b. Mental retardation may be difficult to establish because it may appear to be present when other handicaps interfere with the demonstration of ability in cognitive areas.

        (1) Consider the use of cognitive or developmental scales plus adaptive behavior scales.

        (2) Remember that developmental delay should be evident in all areas.

        (3) Consider the possible effects of lack of environmental stimulation.

3. Determination of educational need may be accomplished through the following procedures:

a. The initial assessment of educational need for multiply handicapped students may be completed in many cases with the general procedures and instruments presented earlier. The need should not be difficult to establish for a multiply handicapped student.

b. The initial assessment of this area can usually be accomplished by the assessment professional.

c. Actual assessment of functioning will be more specifically addressed in the classroom assessment by specialists such as the diagnostician, psychologist, psychological associate, speech therapist, occupational therapist, physical therapist, and others.

E. IEP Assessment

1. Ideally, this phase should not be attempted until the student has become accustomed to the classroom environment.
2. Most of this assessment may take place in the classroom for the multiply handicapped.
3. The teacher of the multiply handicapped may lead the assessment in this phase, aided by the diagnostician, psychologist, speech therapist, occupational therapist, physical therapist, and others.
4. Classroom observation and diagnostic teaching should be primary assessment tools.
5. Curriculum-referenced assessment including teacher-made tests will be most useful in developing goals and objectives for the IEP.

SUMMARY OF ASSESSMENT OF MULTIPLY HANDICAPPED STUDENTS

A. ISSUES

1. Characteristics of students themselves make traditional assessment difficult for assessment personnel
2. Characteristics of standardized tests sometimes make assessment of multiply handicapped students difficult
3. Identifying specific competencies is often more difficult than determining eligibility

B. RULES REQUIREMENTS

1. All referral data
2. Assessment in all required areas
3. Legal criteria for the handicap must be met

C. REFERRAL DATA

1. Reason for referral
2. Observation (optional)
3. Past school data (if any)
4. Developmental history
5. Parent conference information
6. Health functioning information
7. Information about previous referrals
8. Previous interventions (home or other)

D. AN ASSESSMENT MODEL

1. Initial assessment by diagnostician, psychologist, psychological associate
2. Informal staffing after initial assessment
3. Further assessment in classroom for multiply handicapped may be needed
4. After classroom assessment is completed, ARD meets and IEP is developed

E. ELIGIBILITY ASSESSMENT

1. Determine disability area
    a. Interview with parents
    b. Observation/interaction with student
    c. Developmental/cognitive assessment
    d. Adaptive behavior assessment
    e. Can be done by diagnostician, psychologist, psychological associate

2. Determine legal criteria for handicap
    a. Multiply handicapped criteria will probably apply
        (1) Determine two most serious and obvious handicaps
        (2) Document impaired performance in all five areas
    b. Mental retardation difficult to establish and may appear to be present when other handicaps interfere with communication/demonstration
        (1) Consider cognitive/developmental scales plus adaptive behavior
        (2) Developmental delay is evident
        (3) Consider possible lack of environmental stimulation

3. Determine need for services
    a. The same as above in many cases
    b. Can be done by diagnostician, psychologist, psychological associate
    c. Assessment of actual classroom functioning later

F. IEP ASSESSMENT

1. Ideally not done until student becomes accustomed to classroom
2. Assessment done in classroom for multiply handicapped
3. Teacher of multiply handicapped may lead assessment with help from diagnostician, speech therapist, OT, PT, others
4. Classroom observation and diagnostic teaching primary assessment tools
5. Curriculum-referenced assessment helps develop IEP

IV. Assessment of Secondary-Aged Handicapped Students

A. Issues

Secondary-aged handicapped students meet many of the assumptions about assessment of special populations and are difficult to assess using some of the more traditional assessment procedures.

1. Tests may not be available for this age group in the achievement areas needed, or may not adequately assess the lower range of functioning within the correct chronological age range.
2. These students may have experienced repeated failure and may not be motivated to respond optimally to assessment.
3. Regular education personnel may be pressuring special education personnel to admit secondary students who have been failing into special education "so they can graduate."
4. Programming and placement for these students is difficult when graduation credits need to be considered and when a full, appropriate continuum of services in both regular and special education is not available.
5. Vocational assessment, when appropriate, is required for some secondary students. However, appropriately trained personnel and appropriate instruments and/or equipment may not be available.
6. Secondary students with behavior or discipline problems may need additional behavioral assessment and/or special programming.

B. Rules Requirements

1. All referral data required by SBOE rules must be collected for secondary-aged students.
2. Assessment must be conducted in all required areas except for pregnant, homebound, and hospitalized students.
3. Each handicapped student's occupational preparation needs will be considered at or before entry into high school.
4. Graduation requirements must be met for handicapped as well as non-handicapped students. A handicapped student's program may be terminated:
    a. Through graduation
        (1) student has completed the requirements in the IEP, ARD has recommended graduation, and parent or adult student has given informed consent to graduation.
        (2) student has completed the minimum academic credit requirements for graduation applicable to non-handicapped students, and ARD has determined the student has met academic requirements.
    b. When the student no longer meets age requirement for eligibility

C. Referral Data

1. Collect referral data in all of the recommended areas in Chapter Two.
2. The recommended areas include:
    a. Peason for referral
    b. Classroom observation (optional)
    c. Attendance information
    d. Grades
    e. Achievement data
    f. Out-of-school functioning (and how it relates to in-school functioning)

    - g. Health functioning
    - h. Previous referrals
    - i. Previous program interventions
    - j. Previous classroom interventions

D. Eligibility Assessment

1. Disability areas may be identified through the following procedures:
    - a. Conduct classroom observations and/or collect information from teachers of the student in the areas in which referral information indicates the student is having difficulty.
    - b. Interview the student informally to determine functioning in all areas as well as attitude about special education.
    - c. Interview the parents to determine their perceptions of the student's functioning in all areas as well as their attitudes about special education for the student.
    - d. Conduct an informal or formal assessment of language functioning.
    - e. Conduct some assessment of intellectual ability and adaptive behavior.
2. Legal criteria for handicapping conditions may be met through the following procedures:
    - a. Learning disability
        - (1) When standardized tests are not available to assess specific achievement areas, use subtests of group achievement batteries, classroom assessment data, and/or classroom observation.
        - (2) When the severe discrepancy cannot be determined statistically, consider the student's age and assessed ability level as compared to actual classroom functioning. Document the basis for the decision.

(3) Consider the possible effects of repeated failure, truancy, and lack of motivation as reasons for the observed discrepancy. In those instances, criteria would not be met.

b. Mental retardation

(1) When considering mental retardation for the first time for a secondary-aged student, look for evidence that the condition was present during the developmental period. If it was not evident during elementary school, something other than retardation may be causing the general low functioning.

(2) Consider the possible effects of drugs and alcohol on general functioning.

(3) Look for evidence of generalized developmental delay. Good abilities in any area make retardation unlikely.

(4) When adaptive behavior scales are unavailable, consider the use of scales measuring general skills prerequisite to vocational training. The main question to be answered is, "Does this student demonstrate a level of personal independence and social responsibility appropriate for his/her age and cultural group?"

c. Emotional disturbance

(1) Consider the possible effects of drugs and alcohol on behavior. If the student engages in the abuse of drugs or alcohol, is the condition primarily emotional or medical?

(2) Consider the federal regulation which states that students who are socially maladjusted may not be considered emotionally disturbed on that basis alone.

(3) Consider that secondary-aged students may be engaging in behaviors found inappropriate by the school but which may not be considered inappropriate in their own social, cultural, or peer group. Such behaviors may be intentional and not the result of an emotional disturbance.

d. Eligibility criteria for all other handicapping conditions must be met as described in rules.

3. The student's educational need resulting from the disability may be determined through the following procedures:
   a. Collect data about group administered norm-referenced achievement tests or conduct individual assessment in need areas.
   b. Conduct classroom observation and/or collect information from teachers in identified disability areas.
   c. Gather data from teacher and work samples about actual classroom functioning.

E. IEP Assessment

1. Most of this assessment may take place in the secondary resource room.
2. The resource teacher may lead the assessment at this stage.
3. The resource teacher should conduct a classroom observation of the student in the identified areas of need.
4. Student work samples in the identified areas of need should be collected.
5. The resource teacher may use diagnostic teaching as one assessment tool.

6. Curriculum-referenced assessment, including teacher-made tests, will be most useful in developing goals and objectives for the IEP.

F. Vocational Assessment

If the ARD committee determines that vocational education is to be a goal for the handicapped student, then a vocational assessment must be completed. Special education is responsible for compiling the vocational assessment data and formulating the written report. However, personnel from vocational education and special education must review the assessment data and cooperatively develop written recommendations for appropriate vocational programming. The report must be signed by representatives of both vocational education and special education.

Basic Assessment. Vocational assessment begins with a review of existing data, i.e., information in the student's eligibility folder and in the cumulative records. After this review, the acquisition of current information may begin. SBOE rules require information from teacher, parent, and student interviews concerning attitudes, work habits, job readiness, and behaviors (SBOE §89.233(h)(3)(B), page 91).

Information from teachers. Classroom and special education teachers can provide information regarding the student's work habits, attitudes toward vocational education, and general ability and aptitudes related to vocational education, including behavior and job readiness.

Parent interview. In addition to addressing attitudes, work habits, job readiness and behaviors of the student, the parent interview will determine their career expectations for the student and their perceptions of the student's social competence or adaptive behavior as it relates to performance in vocational education.

Student interview. The student is interviewed to determine career awareness and preferences for specific occupations, educational interest, interests and attitude toward vocational education, job readiness skills, etc.

Next, assessment instruments are selected based on the review of existing data and information gathered from the interviews. SBOE rules require that appropriate vocational interest and aptitude tests be given.

Additional Vocational Assessment. When the above five elements of the basic assessment do not yield measurable results or sufficient information to plan the vocational programming for a student, the ARD committee will recommend acquiring additional data. The more comprehensive vocational assessment would include exploratory vocational experiences for assessment only and work samples.

G. Behavior/Discipline Assessment

1. When a secondary-aged handicapped student has exhibited behavior problems, regardless of whether the student is classified as emotionally disturbed, additional assessment may be needed to adequately address behavior management and disciplinary procedures in the IEP.
2. Assessment of behavior which is pertinent to establishing a behavior management plan may be conducted by assessment personnel, teacher and/or counselor. It may include:
    a. Classroom observations in all of the student's classes, preferably using a behavioral scale or structured sampling techniques.

b. Frequency counts of instances of carefully defined, inappropriate behaviors.

c. Interviews with the student about inappropriate behaviors.

d. Collection from all teachers of information about specific behavioral expectations currently not being met by the student.

3. Existing special education assessment data should be re-examined or new data collected regarding the student's ability to understand the rules of appropriate behavior and ability to consciously control behavior (especially in the case of a retarded or emotionally disturbed student).

SUMMARY OF ASSESSMENT OF SECONDARY-AGED HANDICAPPED STUDENTS

A. ISSUES
   1. Tests in appropriate areas or age ranges may not be available
   2. Students may not be motivated to respond to tests
   3. Regular education may be pressuring to admit these students "so they can graduate"
   4. Programming difficult when graduation credits must be met and full range of regular and special education services not available
   5. Vocational assessment required, when appropriate
   6. Additional assessment in behavioral area may be needed for discipline/behavior problems

B. RULES REQUIREMENTS
   1. All referral data required
   2. Assessment in all required areas
   3. Occupational preparation needs are considered for each handicapped student.
   4. Graduation requirements must be met

C. REFERRAL DATA
   1. Reason for referral
   2. Classroom observation (optional)
   3. Attendance information
   4. Grades
   5. Achievement data
   6. Out-of-school/in-school comparison
   7. Health functioning
   8 Previous referrals
   9. Previous program interventions
   10. Previous classroom interventions

D. ELIGIBILITY ASSESSMENT
   1. Determine disability areas
      a. Classroom observation or teacher information
      b. Interview student
      c. Interview parent
      d. Formal/informal language assessment
      e. Assessment of intellectual ability and adaptive behavior

   2. Determine legal criteria for handicap
      a. Learning disability
         (1) Subtests of group achievement tests, classroom assessment, observation (when individual tests not available)
         (2) Consider actual classroom functioning level as compared to ability
         (3) Consider effects of failure, truancy, and motivation
      b. Mental retardation
         (1) Look for evidence of manifestation during elementary years
         (2) Consider possible effects of drugs and alcohol
         (3) Look for evidence of general, pervasive developmental delay
         (4) Consider prevocational competency scales for adaptive behavior
      c. Emotional disturbance
         (1) Consider possible effects of drugs or alcohol
         (2) Consider that "socially maladjusted" cannot be sole reason for ED
         (3) Consider that behaviors might be intentional and acceptable to social/cultural/age peers, but not ED
      d. All other handicaps assessed according to policy requirements.

   3. Determine need for services
      a. Group or individual achievement test data
      b. Classroom observation or teacher information
      c. Actual classroom functioning data/work samples

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E. IEP ASSESSMENT

1. May be conducted in secondary resource room
2. Resource teacher may lead assessment
3. Resource teacher observes in regular class or gathers existing data
4. Work samples
5. May use diagnostic teaching
6. Curriculum-referenced assessment

F. VOCATIONAL ASSESSMENT

1. ARD determines when vocational assessment is needed
   a. Special education compiles data and formulates the written report
   b. Vocational education reviews assessment data and assists in development of written recommendations
   c. Report signed by representatives of special education and vocational education

2. Basic Assessment
   a. Review of existing data
   b. Current information
      (1) Information from teachers
      (2) Parent interview
      (3) Student interview
      (4) Vocational interest test
      (5) Vocational aptitude test

3. Additional Vocational Assessment
   a. ARD recommends
   b. May include exploratory vocational experiences or work samples

G. BEHAVIOR/DISCIPLINE ASSESSMENT

1. Additional assessment needed when secondary student has history of behavior/discipline problems, regardless of handicap

2. Assessment conducted by assessment personnel, teacher, counselor, others, includes:
   a. Structured classroom observation
   b. Frequency counts of defined, inappropriate behaviors
   c. Interview with student
   d. Collection of information about specific classroom behavioral expectations currently not being met

3. Re-examine existing information re: student's ability to understand rules of behavior and to control own behavior

V. Assessment of Bilingual Handicapped Students

A. Issues

1. The degree to which the student adequately speaks, understands, reads, and writes English directly affects the choice of all other assessment instruments and procedures.
   a. If you believe the student is proficient in both English and another language, English language assessment may be conducted.
   b. If the student is not proficient in English, assessment should be conducted in the other language.
   c. Appropriately standardized tests are frequently not available in the language of the student.
2. If the student does not speak English well, there is a significant question about the degree to which language may have interfered with learning, especially if academic instruction has been in English.
3. If the student does not speak English well and the language of instruction has been in another language, then lack of academic progress is more likely to result from a handicapping condition.
4. If the student is bilingual or more proficient in a language other than English, assessment and programming will be difficult unless personnel are available who have both special education and bilingual education training.
5. In all cases where the student's language is other than English, the assessment report must document the methods, techniques, and/or adaptations used in the assessment and should indicate the estimated

degree of validity. Because most tests were not designed for this population, adaptations may be necessary. Explain why adaptations are needed and how adaptations were made.

B. Rules Requirements

1. All referral information required by rules must be collected for bilingual students.
2. Assessment must be conducted in all required areas.
3. Documentation must indicate the degree to which standardized assessment may have been affected by the student's language difference.
4. Legal criteria for a handicapping condition must be met and the ARD must document that the student's second language is not the only reason he/she is being placed in special education.
5. Personnel from the Language Proficiency Assessment Committee (LPAC) must be included on the ARD committee when considering a student of limited English proficiency and should be included in the assessment process.

C. Referral Data

1. Referral data should be collected in all of the areas suggested in Chapter Two, for in-school or out-of-school students, as appropriate.
2. Referral data for bilingual students should include:
   a. results of home language survey.
   b. specific statements from the referring agent, teachers, and parents about the student's language functioning.
   c. recommendations of LPAC.

D. Eligibility Assessment

1. Disability areas may be determined through the following procedures:
   - a. The first assessment area must be language in order to determine the most appropriate language for the rest of the assessment.
     - (1) If referral data and informal assessment of the student indicate that the student is not proficient in English in either the expressive or receptive domains, furtner assessment should be conducted in the other language.
     - (2) If referral data and informal assessment of the student indicate that the student is not proficient in either domain in English but is also not proficient in the other language, assessment should be conducted as much as possible in a combination of the two languages in order to allow the student maximum opportunity to demonstrate his/her ability.
   - b. If further assessment should be conducted in a language other than English, consider the following options and document the one chosen:
     - (1) If a bilingual examiner is available, conduct as much of the assessment as possible in the other language.
     - (2) When directly translating an instrument into another language, remember that difficulty levels--particularly in language areas--may be different in the other language than in English.

(3) When directly translating an instrument into another language, do not use the scoring system of the instrument; scores will be inappropriate because they were not derived on norm samples in that language. Use such tests only as structured samples of observed behaviors.

(4) If the examiner speaks only English, consider the use of an interpreter. The interpreter should be (whenever possible) someone who is not a member of the student's family, is reasonably educated in both English and the other language, is a part of the local community, and has had at least a brief training session from the examiner regarding the format, intent, and purpose of the assessment to be administered.

(5) If tests that were normed and standardized in the student's language are available, check to be sure that the dialect is the same and that the student and the language are similar to those in the norm sample.

(6) If none of these options are possible, do not administer any test that requires the student to understand verbal instructions or to respond verbally to any item. Use only nonverbal assessment procedures.

2. Legal criteria for a handicapping condition can be established through the following procedures:

   a. The bilingual student must meet all eligibility criteria established in policy.

   b. The ARD committee must provide documentation that the language difference is not the sole reason for the placement of a non-English speaking handicapped student.

3. The student's need for educational services resulting from a disability may be determined through the following procedures:
   a. If the student is or has been served in a bilingual program, collect available achievement information from that program.
   b. If an achievement test is to be administered, consider administering it in the language in which the student has been instructed--even if that is different from the student's primary language. The student's "achievement vocabulary" is more likely to be in the language in which instruction was received.

E. IEP Assessment

1. This assessment may be conducted in the special education classroom with a bilingual special education teacher.
2. If no bilingual special education teachers are available, consider assessing the student in a bilingual education classroom by the bilingual education teacher.
3. If no bilingual teacher is available, continue with assessment personnel fluent in the student's language.
4. Team a person fluent in the student's language with an assessment professional as another option.

SUMMARY OF ASSESSMENT OF BILINGUAL HANDICAPPED STUDENTS

A. ISSUES
1. Degree to which student speaks, understands, reads, and writes English affects choice of all other assessment procedures.
2. If student does not speak English well, eligibility decision may be in question.
3. If student has been taught in his language, lack of academic progress may result from a disability.
4. If student is bilingual, assessment and programming may be difficult
5. Assessment report must indicate basis for adaptations in assessment process and validity of such.

B. RULES REQUIREMENTS
1. All referral data.
2. Assessment in all required areas.
3. Document degree to which language affected standardized tests results.
4. Eligibility criteria must be met and ARD documents language is not sole reason for placement.
5. Include representative of Language Proficiency Assessment Committee on ARD.

C. REFERRAL DATA
1. Include all areas usually required.
2. Also include:
    - a. results of home language survey
    - b. information from referring agent, teachers, and parents about student's language
    - c. LPAC recommendations

D. ELIGIBILITY ASSESSMENT
1. Determine disability area.
    - a. Assess language first.
        - (1) If not proficient in English, assess in other language.
        - (2) If not proficient in either language, assess in combination of languages.
    - b. If further assessment in other language:
        - (1) Use bilingual examiner.
        - (2) When translating instrument, consider different difficulty levels in other language.
        - (3) When translating instrument, do not use scores.
        - (4) If interpreter used, provide brief training.
        - (5) If tests available in student's language, check dialectical differences and similarity of norm sample to student.
        - (6) If none of above available, do not assess verbally.

2. Determine legal criteria for handicap
    - a. All eligibility criteria must be met.
    - b. If handicapped student is also bilingual, ARD must document that language not sole reason for placement.

3. Determine need for services
    - a. Collect information from bilingual program if available.
    - b. Administer achievement tests in language in which student received instruction.

E. IEP ASSESSMENT
1. Conduct in special education classroom with bilingual special education teacher.
2. Assess in bilingual classroom with bilingual teacher if above not available.
3. Assess using bilingual assessment personnel.
4. Team a person fluent in student's language with assessement person.

VI. Assessment of Students Who Are Speech Handicapped Only

A. Issues

1. If speech is the only area of disability suspected, a speech-language therapist should be able to conduct the assessment without the assistance of other assessment personnel.
2. If speech is the only area of disability suspected, information for many of the areas of assessment can be derived from the referral data.
3. If speech is the only area of disability suspected, documenting educational need can be completed in academic, developmental, or behavioral terms.

B. Rules Requirements

1. In order to refer a student suspected of having a speech handicap, the referral information (Chapter 2) must be submitted in writing.
2. The comprehensive individual assessment must address all required areas (Chapters 4 and 5) in sufficient detail to establish the student's need for special education services and to meet the district's written procedures for evaluation [SBOE §89.233(d)(3), p. 88].
3. The written report must indicate the therapist's determination of the impairment and the level of severity. It must also state how the communication disorder affects the student's performance in the classroom, resulting in an educational need for speech therapy services.

4. The speech-language therapist may conduct the assessment if speech is the only area of disability suspected. A qualified speech-language therapist:
   a. evaluates each student, using procedures that are appropriate for the diagnosis and appraisal of speech and language disorders, and--
   b. where necessary, makes referrals for additional assessments needed to make an appropriate placement decision.

C. Referral Data

1. Review the referral data in all areas to determine if the data are sufficient to meet the requirements of the comprehensive assessment.
2. Review the referral data in all areas to determine areas where additional assessment is needed.

D. Eligibility Assessment

1. Assessment--It must be performed in all areas required by rules and reported in writing. Information from the referral may be used.
2. Language Dominance--The referral information, including results of the home language survey, developmental history, teacher observations, and parent information, may provide sufficient information for the assessment of language dominance. If the dominant language is other than English, personnel with appropriate language qualifications must participate in the comprehensive assessment.
3. Language, Expressive and Receptive Proficiency--The referral information, including teacher observations, parent information, developmental history, in-school functioning, grades in language

arts, performance on language arts achievement tests, health history information, and hearing screening information, may provide significant information.

The speech-language therapist is responsible for additional language assessment appropriate for the age, ability, and experience of the student in the areas of suspected disability. Receptive and expressive functioning must be addressed. There must be a statement of the speech-language therapist's conclusions concerning the presence or absence of a communication disorder in voice, fluency, language, or articulation. This statement must identify the degree of severity consistent with local district procedures.

4. Physical--Information from referral (general health history and the hearing and vision screening) may provide sufficient information to determine if there are any relevant medical findings. The speech-language therapist may conduct a visual examination of the speech production mechanisms, as necessary. The speech-language therapist is responsible for referring the student for further medical evaluation, at the district's expense, when the communication disorder appears to be related to a physical condition. The referral to the physician should request educationally relevant medical findings that may affect the program designed to remediate the student's disorder.
5. Emotional/Behavioral--Information from the referral (teacher observations, parent information, in-school and out-of-school functioning) may provide data that address the student's emotional

and/or behavioral responses to his or her own communication abilities and responses to the reactions of others.

The speech-language therapist should formally or informally assess the student's behavior relevant to the disorder that may influence learning or discipline in the regular classroom and in speech therapy. If the emotional/behavioral factors are significant, referral for further assessment for related services (such as counseling or psychological services) may be appropriate.

6. Sociological--Information from referral (parent information, attendance, and teacher observations) may provide the basis for determining that the communication disorders are not attributable to a different cultural lifestyle or lack of opportunity to learn.

   If there is not sufficient information, further assessment is necessary to:

   - determine that the sociological variables are not the primary cause

   or

   - determine the influence of the sociological variables on current communication and planned intervention.

7. Intellectual/Adaptive Behavior--Information from referral indicating results of an individually administered intelligence test may be used. Otherwise, an individually administered intelligence test must be given.

If either referral or the assessment measure indicates the possibility of subaverage intelligence, the student should be referred for more comprehensive intellectual assessment.

Adaptive Behavior--Information from referral regarding in-school and out-of-school behaviors may be used to determine the appropriateness of adaptive behavior. If referral data do not provide sufficient information, the speech-language therapist must assess adaptive behavior, noting the influence of the communication disorder.

8. Assessment of Performance Levels--Based on referral data and assessment results, the speech-language therapist addresses the extent to which the communication disorder adversely affects academic, developmental, or behavioral functioning, resulting in an educational need--specifically, whether a deficit exists. The identification of educational need in developmental or behavioral areas will have been addressed in part by the student's performance on norm-referenced language tests. The speech-language therapist may verify through classroom observation and/or information from the teacher that the speech handicap is interfering with the student's:

   - academic status and ability to understand and demonstrate what he knows,
   - potential ability to meet the district's oral language standards and goals, and
   - social and behavioral status.

E. IEP Assessment

Assessment of learning competencies may be limited to communication. It should include the therapist's identification of competencies which indicate the degree to which the student can benefit from a speech therapy program, or it should indicate that other special education intervention would be needed for the student to make satisfactory progress.

SUMMARY OF ASSESSMENT OF STUDENTS WHO ARE SPEECH HANDICAPPED ONLY

A. ISSUES
   1. Speech-language therapist may conduct the assessment
   2. If speech is only area suspected, referral data can provide much information
   3. If speech is only area suspected, documenting educational need can be academic, developmental, or behavioral

B. RULES REQUIREMENTS
   1. All referral data
   2. Assessment in all required areas
   3. Written report determines severity and effect of communication disorder
   4. Speech-language therapist may act as the assessment person
      a. evaluate speech-impaired child
      b. refer for additional assessment when necessary

C. REFERRAL DATA
   1. Review data to determine what is sufficient
   2. Review data to determine areas to assess

D. ELIGIBILITY ASSESSMENT
   1. Assessment in all areas required by rules
   2. Language Dominance
   3. Language, Expressive and Receptive Proficiency
   4. Physical
   5. Emotional/Behavioral
   6. Sociological
   7. Intellectual/Adaptive Behavior
   8. Assessment of Performance Levels

E. IEP ASSESSMENT

Identification of student's competencies indicating benefit of a speech therapy program

AND/OR

need for other special education intervention

CHAPTER EIGHT

PERSONNEL ROLES IN THE ASSESSMENT PROCESS

The assessment process in this manual will depend on high quality, complete information provided and used by a large number of people. Although traditional assessment has been seen largely as the responsibility of the trained appraisal specialists, the suggested process will include other special education and regular education personnel as well.

The model and assumptions upon which this manual is based represent a reconsideration of the priorities in the assessment process. We choose to somewhat de-emphasize assessment which only establishes eligibility in favor of assessment which provides information which more directly affects the student's educational program.

The trained appraisal specialists remain the central figures in the assessment from a procedural standpoint. That is, they are responsible for ensuring that the process is completed. However, this model suggests that other personnel who previously were not thought to be part of the assessment process take on new roles of greater importance in actually collecting or producing assessment data. The recommended roles and responsibilities of these personnel are presented in the following chart.

PERSONNEL ROLES IN THE ASSESSMENT PROCESS

ROLE	RULE DEFINITION	MINIMUM LEVEL OF INVOLVEMENT	MAXIMUM LEVEL OF INVOLVEMENT (IN ADDITION TO MINIMUM)
Educational diagnostician	State Board of Education Rules, 89.214 Special Education Professional Support personnel (a) Functions performed. Special Education professional support personnel are those non-instructional personnel who perform one of the following functions: (1) render services to the special education program, related services program, and student evaluation services; (2) provide related services or student evaluation services to eligible handicapped students; or (3) direct or supervise the total program. (i) Educational diagnostician. The educational diagnostician shall be responsible for the assessment of intelligence and of educational functioning and for the collection and analysis of data pertaining to sociological variables for the student. Educational diagnosticians may provide consultation to teachers, parents, other support personnel, and community agencies including, but not limited to, consultation concerning individual educational plan implementation and strategies for learning.	1. Act as "case manager" for the assessment process, seeing that the required areas are addressed and documented. 2. Develop the summary report of assessment, referencing all assessments done by anyone. 3. Act as the primary contact for the special education teacher in the development of the IEP based on assessment information. 4. Present initial assessment report to ARD committee.	1. Receive and process referrals from regular education. 2. Obtain consent for assessment and notify parents of rights. 3. Conduct the majority of eligibility assessment. 4. Communicate with principals regarding the scheduling of the ARD meeting. 5. Follow up on all cases to be sure that IEP is being implemented as written.
Special education Counselor	(e) Special education counselor. The special education counselor shall provide student and parent counseling, individually and in groups, concerning problems resulting from the student's handicapping condition. The special education counselor shall serve as liaison between parents, school, and community agencies. The counselor may assist in the collection and analysis of appraisal data pertaining to sociological variables. The counselor shall coordinate special education counseling with the rest of the school guidance program.	1. Provide counseling to students and parents. 2. Collect information regarding the student's emotional/behavioral status as part of eligibility assessment. 3. Conduct assessment for related services if the student is going to receive counseling as a related service.	1. Assist the assessment person in making parent contacts and in explaining rights, rules, and assessment data to parents. 2. Assist regular and special education teachers in dealing with the behavior problems of handicapped students. 3. Assist principals in determining appropriate responses to infractions of school rules by handicapped students.

ROLE	RULE DEFINITION	MINIMUM LEVEL OF INVOLVEMENT	MAXIMUM LEVEL OF INVOLVEMENT
Special education visiting teacher	(f) Special education visiting teacher. The special education visiting teacher shall provide liaison between the school, home and community. The special education visiting teacher may also assist in the collection and analysis of appraisal data pertaining to sociological variables.	1. Make home visits whenever required to collect sociological data, to conduct adaptive behavior assessment, to provide follow-up in the home on program objectives. 2. Make visits to contract placements whenever required to meet with ARDs or to check progress of students placed.	1. Provide any other services allowed by policy as required by school/community needs.
School psychologist	(g) School psychologist. The primary function of the school psychologist is to serve on the assessment team. The responsibilities of the school psychologist may include conducting comprehensive assessments of students referred for special education placement; participating in the development of individual educational plans; consulting with teachers, parents, and community agencies concerning prevention or intervention strategies relating to learning and behavioral problems of students; and planning and managing a program of psychological services for students and parents. 89.211 Handicapped Students (g) Emotionally disturbed student. (1) A student who has been evaluated by a licensed or certified psychologist or psychiatrist, or by a psychological associate under the direct supervision of a licensed or certified psychologist.	1. Conduct assessment of students suspected of being emotionally disturbed. 2. Supervise a psychological associate who is assessing a student suspected of being emotionally disturbed. 3. Provide consultations to teachers and others working with students with behavior problems. 4. Assist in the development of behavior management plans as part of the IEP. 5. May also perform all functions of diagnostician as described above.	1. Conduct assessments in the behavioral area of any students referred for special education assessment. 2. Provide consultation to teachers and others regarding the classroom management of any student. 3. Provide leadership and training to other staff regarding assessment and consultation methods. 4. Provide parent training. 5. May also perform all functions of diagnostician as described above. 6. Provide counseling to students.

ROLE	ROLE DEFINITION	MINIMUM LEVEL OF INVOLVEMENT	MAXIMUM LEVEL OF INVOLVEMENT
Associate school psychologist	(h) Associate school psychologist (1) The primary function of the associate school psychologist is to serve on the assessment team. (2) The responsibilities of the associate school psychologist may include any of the activities described for the school psychologist in subsection (g) of this section, except that the associate school psychologist must be directly supervised by a licensed or certified psychologist when conducting comprehensive assessments of emotional/behavioral factors which may lead to the classification of emotional disturbance.	Same as psychologist except for ED diagnosis as noted in policy	Same as for psychologist
School Principal	Not specifically mentioned in special education policy TAC §21.913. Duties of Public School Principals (a) Public school principals, who shall hold valid administrative certificates, shall be responsible for: (1) assuming administrative responsibility and instructional leadership, under the supervision of the superintendent, for discipline, and the planning, operation, supervision, and evaluation of the educational program of the membership area in which he is assigned	1. Supervise the referral process. 2. Chair the ARD meeting. 3. Provide instructional leadership to both regular and special education teachers. 4. Contribute information about the student to the assessment process, including behavior management and discipline history.	1. Conduct parent conferences. 2. Notify parents of their rights and obtain consent for assessments.
Regular education teacher	89.221 The Admission, Review, and Dismissal Committee. (g) (2) A representative from instruction shall always be included. This representative may be either: (A) the student's current special education teacher; or	1. Provide information about the student's current functioning in all areas in the regular classroom. 2. Participate in the initial ARD meeting to help develop the IEP. 3. Coordinate with the special education teacher to ensure that the program is consistent for the student in all settings.	1. Maintain the handicapped student in the regular classroom with only supportive services for the student from special education. 2. Maintain the handicapped student in the regular classroom with only consultative assistance for the teacher.

ROLE	RULE DEFINITION	MINIMUM LEVEL OF INVOLVEMENT	MAXIMUM LEVEL OF INVOLVEMENT
Regular education teacher (Cont'd)	(B) an appropriate regular classroom teacher for those students expected to receive academic instruction in regular education.	4. Modify regular methods, materials, and/or content as appropriate for the handicapped student while in the regular classroom.	
Special education teacher	89.221 (see above) P.L. 94-142 Regulation 300.532 Evaluation Procedures (e) The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability SBOE Rules Section 89.213(d)	1. Conduct IEP assessment in the special education classroom. 2. Participate in the initial ARD meeting to help develop the IEP. 3. Conduct IEP assessment on an on-going basis. 4. Be the primary assessment representative at annual or review ARD meetings where no other new assessment data are being presented.	1. Coordinate with the regular education teacher to ensure that the program is consistent for the student in all settings. 2. Assist the regular teacher in modifying methods, materials, and content as appropriate for the handicapped student in the regular classroom. 3. Discuss with all regular teachers techniques for meeting the needs of students with handicaps or other learning problems.
Speech therapist	89.233 Comprehensive Individual Assessment (d) (3) For students referred as speech handicapped only, the assessment shall be performed and documented by a certified speech therapist. All of the areas listed in subsection (b) of this section shall be addressed in the assessment; however, the depth of the assessment to be performed for each area shall be determined by the local school district. District defines communication disorders.	1. Conduct eligibility and IEP assessment for students who have been referred as speech handicapped only. 2. Participate in the ARD meeting to present assessment data and develop the IEP. 3. Conduct assessment of the language functioning when students are referred for related services in speech or for additional assessment in language. 4. Must participate in autism assessment.	1. Share assessment data with regular and special education teachers regarding follow-up speech and language activities that can be done in the classroom. 2. May assist in L.D. assessment (oral expression, listening, comprehension).

ROLE	RULE DEFINITION	MINIMUM LEVEL OF INVOLVEMENT	MAXIMUM LEVEL OF INVOLVEMENT
Related services personnel	89.215 Related Services Personnel (a) The primary function of related services personnel is to implement services for the handicapped student as defined in the student's individual educational plan....Related services personnel may also perform the following functions: (1) perform assessments in areas for which they have appropriate training; (2) provide assistance to the ARD committee; (3) contribute to the development of the IEP; and (4) provide consultation to teachers, aides, and parents concerning IEP implementation, maintenance, and evaluation.	1. Conduct assessment of the student's need for the related service. 2. Develop recommended goals and objectives for the IEP. 3. Provide the related services either directly or on a consultative basis as stated on the IEP.	1. Participate on the ARD committee. 2. Work with regular and special education teachers and other staff to provide follow-up activities for the student in those settings.
School nurse	(b)(13) School health services shall be provided or supervised by a licensed physician or by a registered nurse (RN) with or without a bachelor's degree. 89.217 Related Services (b) (6) School health services as a related service are those provided to eligible handicapped students in addition to those routinely available to all students and may include the following: (A) screening and referral for health needs...	1. Conduct the health history inventory and vision and hearing screening for the referral process. 2. Serve on the ARD when there are questions about the student's physical functioning. 3. Assist in collecting information about the student's physical functioning.	Conduct physical screening of all students.

PERSONNEL ROLES IN THE ASSESSMENT PROCESS

ROLE	RULE DEFINITION	MINIMUM LEVEL OF INVOLVEMENT	MAXIMUM LEVEL OF INVOLVEMENT (IN ADDITION TO MINIMUM)
Vocational education personnel	89.233 Comprehensive Individual Assessment (h)(3) Vocational assessment (D) A vocational education counselor or teacher shall review the vocational assessment data with the special education person responsible for the vocational assessment. A written recommendation for appropriate vocational placement shall be developed cooperatively, signed by both representatives, and presented to the ARD committee. 89.221 The Admission, Review, and Dismissal (ARD) Committee (g) (8) The vocational administrator or designee and the vocational teacher who will instruct the student shall be members of the ARD committee when the committee is considering placement in vocational education programs... (A) ...vocational administrator or designee...when reviewing vocational assessment data... (B) ...vocational administrator or designee and the teacher who will instruct the student... when...developing the IEP.	1. Review vocational assessment data with special education personnel. 2. Conduct more comprehensive vocational assessments when needed. 3. Participate on the ARD committee when considering a vocational placement for a handicapped student. 4. Assist in development of the IEP for vocational placements.	Conduct all vocational assessments.

PERSONNEL ROLES IN THE ASSESSMENT PROCESS

ROLE	RULE DEFINITION	MINIMUM LEVEL OF INVOLVEMENT	MAXIMUM LEVEL OF INVOLVEMENT (IN ADDITION TO MINIMUM)
Paraprofessional personnel	89.216 Special Education Paraprofessional Personnel (a) Paraprofessional personnel may be assigned to work with eligible handicapped students, special education teachers, and related services personnel. Aides may also be assigned to assist students with special education transportation. An aide may be assigned to the Special Education Resource System (SERS). An aide may be assigned to the Special Education Management System (SEMS).	1. Work with students in the special education classroom while the special education teacher is involved in assessment activities. 2. Assist the special education teacher in conducting classroom assessment.	1. Assist the diagnostician in collecting parent information and conducting parent interviews. 2. Collect adaptive behavior data under the supervision of the assessment professional. 3. Assist other related services personnel in conducting assessments.

COMPLIANCE STATEMENT

TITLE VI, CIVIL RIGHTS ACT OF 1964; THE MODIFIED COURT ORDER, CIVIL ACTION 5281, FEDERAL DISTRICT COURT, EASTERN DISTRICT OF TEXAS, TYLER DIVISION

Reviews of local education agencies pertaining to compliance with Title VI Civil Rights Act of 1964 and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

(1) acceptance policies on student transfers from other school districts;

(2) operation of school bus routes or runs on a non-segregated basis;

(3) nondiscrimination in extracurricular activities and the use of school facilities;

(4) nondiscriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning, or dismissing of faculty and staff members who work with children;

(5) enrollment and assignment of students without discrimination on the basis of race, color, or national origin;

(6) nondiscriminatory practices relating to the use of a student's first language; and

(7) evidence of published procedures for hearing complaints and grievances.

In addition to conducting reviews, the Texas Education Agency staff representatives check complaints of discrimination made by a citizen or citizens residing in a school district where it is alleged discriminatory practices have occurred or are occurring.

Where a violation of Title VI of the Civil Rights Act is found, the findings are reported to the Office for Civil Rights, Department of Health, Education and Welfare.

If there is a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

TITLE VII, CIVIL RIGHTS ACT OF 1964; EXECUTIVE ORDERS 11246 AND 11375; TITLE IX, 1973 EDUCATION AMENDMENTS; REHABILITATION ACT OF 1973 AS AMENDED; 1974 AMENDMENTS TO THE WAGE-HOUR LAW EXPANDING THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967; AND VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1972 AS AMENDED IN 1974.

It is the policy of the Texas Education Agency to comply fully with the nondiscrimination provisions of all federal and state laws and regulations by assuring that no person shall be excluded from consideration for recruitment, selection, appointment, training, promotion, retention, or any other personnel action, or be denied any benefits or participation in any programs or activities which it operates on the grounds of race, religion, color, national origin, sex, handicap, age, or veteran status (except where age, sex, or handicap constitute a bona fide occupational qualification necessary to proper and efficient administration). The Texas Education Agency makes positive efforts to employ and advance in employment all protected groups.